The National Association of Broadcasters
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PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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ANNOUNCEMENT!

Beginning with this issue, the official publication of the National Association of Broadcasters will be known as NAB REPORTS instead of the BROADCASTERS NEWS BULLETIN. This and all future issues of NAB REPORTS, will be printed and punched to fit into a five-ring binder which may be purchased at small cost through the Association

The BROADCASTERS NEWS BULLETIN will be suspended as a regular publication and will be used in the future only for special reports.

The decision to replace the mimeographed bulletins with printed reports was based upon two principal considerations: First, a substantial saving in production and mailing costs; and, second, the necessity for a more usable and more readable method of publishing information.

Gradually, there will be a change in the content and style of items reported. When the BROADCASTERS NEWS BULLETIN was founded, nearly three years ago, there were no trade publications regularly and satisfactorily presenting general news of broadcasting. Now this field is being adequately covered and there is no desire on the part of the Association to duplicate this effort.

NAB REPORTS will give to members the official news of the Association, texts of important court decisions, digests of bills which would affect radio, decisions of the Federal Radio Commission, rulings of state and federal government departments relating to radio, and other similar material. In other words, NAB REPORTS will constitute a service rather than a news bulletin.

Pages will be numbered consecutively and all items will be indexed quarterly. You should begin filing these sheets with this issue.

Binders for filing the reports may be purchased through NAB Headquarters at a cost of $2.00 each. A single binder will take a two years' supply of NAB REPORTS. If you want a binder, you may place your order by writing NAB Headquarters, National Press Building, Washington, D. C.

PHILIP G. LOUCKS, *Managing Director.*

ROOSEVELT SUMMONS 73RD CONGRESS

At the call of President Roosevelt, the Seventy-third Congress convened in special session on March 9 and with unprecedented speed enacted emergency banking legislation recommended by him in a special message. The Congress will remain in session to consider other necessary economic legislation and will afterward recess until the administration's general relief and reorganization program can be whipped into final shape.

Only five committees were organized in the House. Other committees will be organized later but it appears certain that Representative Otis S. Bland of Virginia, will accept the chairmanship of the House Merchant Marine, Radio and Fisheries Committee.

In the Senate, committee chairmanships were announced although only a few committees were organized. Senator Clarence C. Dill of Washington, has been named chairman of the Senate Committee on Interstate Commerce, and Senator Robert F. Wagner of New York, has been named chairman of the Senate Committee on Patents.

The administration has not announced its plans with repect to radio regulation although scores of unconfirmed rumors persist. It is known, however, that thought has been given to co-ordinating the regulation of transportation facilities and it is probable that a program will be ready in the near future. If the action of Congress on banking legislation is a criterion, it is safe to assume that any legislation recommended by President Roosevelt will be promptly enacted.

ROOSEVELT OFFERED COOPERATION

Assurances that he would have the hearty support of the broadcasters of the country were given President Franklin D. Roosevelt in a telegram sent him today by Alfred J. McCosker, President of the National Association of Broadcasters, and Director and General Manager of Station WOR in Newark, New Jersey.

It was pointed out by the broadcasting executive that in the recent campaign, both before and after his nomination, President Roosevelt had made more use of extensive broadcasting than any aspirant to public office.

A copy of Mr. McCosker's telegram to President Roosevelt follows:

Hon. Franklin D. Roosevelt,
President of the United States,
White House,
Washington, D. C.

It is with great sincerity that I assure you of the hearty and continued cooperation of the broadcasters of the United States throughout your administration. We deem it a privilege to place our facilities at your disposal whenever you desire them. We are confident your administration will be a most successful and notable one.

(Signed) ALFRED J. MCCOSKER, *President,*
National Association of Broadcasters,
1440 Broadway,
New York, N. Y.

NORTH AMERICAN COMMITTEE MEETS

At the meeting of the general committee preparing for the forthcoming North American Radio Conference held March 10, at the Federal Radio Commission, a detailed statement was presented by James W. Baldwin on behalf of the National Association of Broadcasters to show the position of the Association and the reasons therefor. This statement is now the subject of general discussion by the Committee. The next meeting is scheduled for Monday, March 13.

COMMISSION SUSPENDS RULE 151

In view of the present financial and economic situation, the Federal Radio Commission on March 10, on motion of Commissioner Starbuck, decided that "the provision of Rule 151 of the Commission's Rules and Regulations may be partially suspended until June 1, 1933, upon written application to the Commission specifying the exact hours the station will operate.

Rule 151 provides: "Except Sundays, the licensee of each broadcast station shall maintain a minimum regular operating schedule of two-thirds of the hours that it is authorized to operate during each broadcast day."

COURT OF APPEALS UPHOLDS KFPY

Symons Broadcasting Company (KFPY, Seattle, Wash.) *v.* Federal Radio Commission. Court of Appeals of District of Columbia No. 5757, March 6, 1933. Appeal from decision of Commission granting application for modification of construction permit authorizing Station KSEI, Pocatello, Idaho, to operate on 890 kc. Station KFPY protested on ground that it had pending at time of grant an application for same frequency. No hearing had been held.

In reversing the decision and remanding the case for further proceedings the court said:

"In this case the Spokane station in apt time filed its protest. It was certainly an aggrieved party, because it had filed an application for the same frequency as that sought by the Pocatello station. From the time the same was lodged with the supervisor in Seattle it was 'pending before the Commission.' But notwithstanding this the Commission ignored the protest and refused to grant a hearing, and this, we think, was arbitrary and in violation of its rules. And in addition to this, we think it not untimely to say that in granting and refusing applications for licenses, where two or more stations are applicants for the same frequency, it is the duty of the Commission to grant either party a hearing on due notice, for otherwise there is a denial of due process and a substitution in its place of arbitrary power, and that, of course, may not be countenanced."

McCOSKER NAMES NAB COMMITTEES

President Alfred J. McCosker this week announced the following committee appointments for the current year:

Tax Committee

Chairman E. M. Elkin, KDKA, Pitttsburgh, Pennsylvania; P. J. Hennessey, Jr., WJZ, New York, N. Y.; Sydney M. Kaye, WABC, New York, N. Y.; A. Z. Moore, WKJC, Lancaster, Pennsylvania; Edgar T Bell, WKY, Oklahoma City, Oklahoma; Wiley P. Harris, WJDX, Jackson, Mississippi; C. R. Myers, KOIN, Portland, Oregon.

Constitution and By-Laws Committee

Chairman William S. Hedges, WMAQ, Chicago, Illinois; W. J. Damm, WTMJ, Milwaukee, Wisconsin; Harry Shaw, WMT, Waterloo, Iowa.

Program Committee

Chairman Edgar L. Bill, WMBD, Peoria, Illinois; John Elwood, WEAF, New York, N. Y.; Fred Willis, WABC, New York, N. Y.; Clarence Wheeler, WHEC, Rochester, New York; John Henry, KOIL, Council Bluffs, Iowa; Rogan Jones, KVOS, Bellingham, Washington; Judith Waller, WMAQ, Chicago, Illinois; Charles A. Sessions, WIBW, Topeka, Kansas; Birt Fisher, KOMO, Seattle, Washington.

Commercial Committee

Chairman H. K. Carpenter, WPTF, Raleigh, North Carolina; Leslie Fox, WSM, Nashville, Tennessee; Martin Campbell, WFAA, Dallas, Texas; H. K. Boice, WABC, New York, N. Y.; Roy C. Witmer, WJZ, New York, N. Y.; John Patt, WGAR, Cleveland, Ohio; Donald Davis, WHB, Kansas City, Missouri; Charles Chatterton, KGW, Portland, Oregon; Roy Harlow, WNAC, Boston, Massachusetts.

Membership Committee

Chairman H. H. Bliss, WCLO, Janesville, Wisconsin; F. P. Manchester, WAAW, Omaha, Nebraska; W. E. Hutchinson, WAAF, Chicago, Illinois; Eugene V. Cogley, WLBW, Erie, Pennsylvania; Roy Thompson, WFBG, Altoona, Pennsylvania; Arthur Kales, KECA, Los Angeles, California; Harold Wheelahan, WSMB, New Orleans, Louisiana; William Knight, WTOC, Savannah, Georgia; F. E. Tunnicliff, KFNF, Shenandoah, Iowa; Ed Riggins, KMJ, Fresno, California; S. H. Cook, WFBL, Syracuse, New York; Allen T. Simmons, WADC, Akron, Ohio; Don Gilman, KGO, San Francisco, California; G. E. Zimmerman, KPRC, Houston, Texas; LeRoy Mark, WOL, Washington, D. C.

Cost Accounting Committee

Chairman Arthur Church, KMBC, Kansas City, Missouri; Walter J. Damm, WTMJ, Milwaukee, Wisconson; M. R. Runyon, WABC, New York, N. Y.; H. F. McKeon, WJZ, New York, N. Y.; R. W. Hoffman, WHFC, Chicago, Illinois; Lewis Weiss, WJR, Detroit, Michigan; J. H. Ryan, WSPD, Toledo, Ohio; J. L. Kaufman, WCAE, Pittsburgh, Pennsylvania; I. Z. Buckwalter, WGAL, Lancaster, Pennsylvania.

Engineering Committee

Chairman Joseph Chambers, WLW, Cincinanti, Ohio; Charles W. Horn, WEAF, New York, N. Y.; Ed Cohan, WABC, New York, N. Y.; John F. Byrne, WEAO, Columbus, Ohio; Walter Evans, KDKA, Pittsburgh, Pennsylvania; William West, KSD, St. Louis, Missouri; John Fetzer, WKZO, Kalamazoo, Michigan; Stanley Hubbard, KSTP, St. Paul, Minnesota; William Foss, WMAS, Springfield, Massachusetts.

KFAB CASE TO BE APPEALED

C. A. Sorenson *v.* KFAB Broadcasting Company. Supreme Court of Nebraska. No. 28749. Appeal from the District Court of Lancaster County from judgment in favor of plaintiff for damages for defamation by transmission of certain language over Station KFAB during political campaign in summer of 1930. The State Supreme Court previously held the station liable for damages notwithstanding Section 18 of the Radio Act of 1927 and remanded the case for further proceedings. Further proceedings were had and the case is now before the Supreme Court again on appeal. Should the upper court affirm its earlier holding the case will be carried to the Supreme Court of the United States for review.

NEW YORK BROADCASTERS MEET

A meeting of New York state broadcasters will be held Monday, March 13, at Albany, N. Y., for the purpose of effecting machinery for presentation of their combined views on state legislative matters. The meeting will be attended by nearly all New York state broadcasters.

SUPREME COURT DENIES WNJ APPEAL

The Supreme Court of the United States on March 6, 1933, denied the petition of the Radio Investment Company (WNJ, Newark, N. J.) for a review of a decision of the Court of Appeals of the District of Columbia upholding the decision of the Federal Radio Commission deleting the station. Station WNJ formerly shared time with Stations WHOM, WMBS, and WKBO. Both stations WNJ and WMBS were taken off the air and Station WHOM was awarded three-fourths time. Station WNJ appealed. Station WMBS did not appeal. The decision of the Supreme Court winds up the litigation.

INSURANCE ADVERTISING RESTRICTED

Merton L. Brown, Massachusetts Commissioner of Insurance, on February 17, notified all publishers of newspapers, magazines and radio broadcasting stations in Massachusetts to the effect that Chapter 25 of the Acts of 1933 "prohibits the printing or publication of certain advertisements of foreign insurance companies or foreign fraternal benefit societies that are not duly licensed in this Commonwealth, in newspapers, magazines or other periodicals published in the commonwealth or over radio broadcasting stations located therein."

The department, says the Commissioner, will gladly furnish information whether any insurance company or fraternal society is duly licensed in the state and requests that newspapers and stations ascertain whether any company or society offering advertising of the kind described in the act is duly licensed, before its advertisements are published or broadcast.

WOULD DENY WMBH INCREASED HOURS

Application of Edwin D. Aber (WMBH, Joplin, Mo.) for increased operating hours from 35 to 71½ hours per week. Report No. 462. (Pratt, e.) Recommends that application be denied.

The examiner points out that "the use of additional hours by WMBH would extend the duration of interference which now exists between this station and another on the same channel (1420 kc).

"Although applicant, now rendering a local service designed to meet the needs and requirements of the listeners in the area served, could, through the use of additional hours extend and improve the service of WMBH, the granting of this application would result in an increase in the broadcasting facilities of a state and zone which are already over quota," the reported stated.

REPORT OPPOSES ABILENE STATION

Application of John Tindale for a construction permit to erect a new broadcasting station to operate on 1420 kc. at Abilene, Texas, sharing time with KABC, San Antonio, Texas. Report No. 463 (Yost, c. e.) Report recommends that application be denied and that renewal application of KABC be granted.

The chief examiner explained in his report that when the hearing was called "no one appeared on behalf of applicant Tindale and no evidence was introduced in support of said application."

STAY ORDER IN KGDA CASE

Mitchell Broadcasting Corporation (KGDA, Mitchell, S. D.) *v.* Federal Radio Commission. Court of Appeals of the District of Columbia. No. 5912. March 8, 1933. Appeal from decision of the Commission deleting Station KGDA. The Court granted an order staying the decision of the Commission for thirty days from March 8.

ATHLETIC BROADCASTS IN GEORGIA

On March 2nd the Georgia Senate passed S. 202, the bill which would compel certain colleges to permit broadcasting of athletic events.

ATHLETIC BROADCASTS IN S. C.

House Bill No. 27 has now been passed by both branches of the South Carolina Legislature. By virtue of this action of March 3rd it is now up to the Governor whether heads of state colleges will be authorized and directed to permit broadcasting of athletic events. If he approves, the law becomes effective at once.

ATTACHMENT OF RADIOS PROHIBITED

Those who feel that a radio receiving set is a necessity in every American home will be grateful to Representative Logsdon of the Oklahoma Legislature who introduced on March 6th, H. 596, which would exempt radios (and electric refrigeration) from attachment and execution.

TESTIMONY ON THE AIR NOT BARRED

The Missouri bill (H. 463) which would have provided that no witness would have been permitted or compelled to testify in a proceeding if the testimony were to be broadcast received an unfavorable committee report on March 1st.

LAFOUNT LAUDS INAUGURAL BROADCASTS

Radio will play an important part in the present national crisis, Acting Chairman Lafount of the Federal Radio Commission declared, in a statement on March 6, 1933, in which he lauded the part played by broadcasters in carrying the Roosevelt inaugural ceremonies to the nation.

"Radio broadcasting in America reached a high pinnacle—perhaps its high water mark, when the proceedings attending the inauguration of President Roosevelt were put on the air and the important events were flashed throughout the nation by the press," the acting chairman said.

"The value of radio as a public servant and as an instrumentality for the instantaneous dissemination of news, with the cooperation of the press, was forcibly demonstrated," he said.

"Never in the history of the world has an event been so widely or so successfully covered. Not only did practically all our public 'listen in' but the people, especially public officials in 20 other leading nations, followed the inaugural proceedings with keen interest. Those in command in other nations were extremely anxious to learn of the plans and policies of the new administration.

"In the present national crisis radio will play an important part in permitting those in authority to call together 'our whole family' to talk to them freely and frankly."

KLX GRANTED POWER INCREASE

Application of the Tribune Publishing Company (KLX, Oakland, Calif.), for increase in power from 500 to 1,000 watts on 880 kc. Application granted by Commission reversing Report No. 441 (Pratt, e). In its decision the Commission found that the station was financially able to operate with 1,000 watts power; that it renders a community service not available from other stations in the Oakland area; that the increased power will not cause any additional interference; and that the "exclusive nature of many of the applicant's broadcasts makes it desirable that they be made available to as many listeners as possible."

TELEVISION PERMIT DENIED

Application of Visual Radio Corporation for construction permit to erect and operate a new experimental visual and sound broadcasting station at Watsontown, Pa. Denied by Commission sustaining Report No. 450 (Hyde, e).

The Commission contended that the applicant had not shown it had necessary financial ability to carry out program of experimentation proposed; that its laboratory development was insufficient; and that the band 2200 to 2300 kc. sought was not available for the requested use.

WWV CHANGES TRANSMISSION HOURS

The Bureau of Standards standard frequency transmission, from its station WWV, will be conducted from 12 noon until 2 p. m. and from 10 p. m. until 12 midnight every Tuesday beginning April 1, 1933. The frequency is 5000 kc. (From October to March the schedule was from 10 a. m. until 12 noon, and from 8 to 10 p. m.)

HEARING CALENDAR

Oral argument of the so-called *"1020 Case"* will be heard by the Commission, sitting en banc, on Wednesday, March 15, 1933. This case arose from the application of KYW-KFKX, Chicago, for permission to move to Philadelphia, and from the application of the Kunsky-Trendle Broadcasting Corp., Detroit. Mich., for the facilities of KYW. The following interested parties have been notified: WJAS, Pittsburgh, Pa.; WHAS, Louisville, Ky.; WFAN, WIP, WCAU, WRAX, and WPEN, Philadelphia, Pa.; WIBG, Elkins Park, Pa.; WORK, York, Pa.; WHN, WRNY, and WQAO-WPAP, New York City.

Oral argument before the Commission, sitting en banc, will be heard Monday. March 13, 1933, on the application of WCGU, Brooklyn, N. Y., for renewal license on *1400 kc.*, sharing with WFOX, WLTH, and WEBC.

A hearing, before an examiner, on the applications of WOWO, Fort Wayne, Ind., and WWVA, Wheeling, W. Va., for unlimited time and a power increase on the *1160 kc.* channel is scheduled for Wednesday, March 15, 1933.

APPLICATIONS SET FOR HEARING

New, William Avera Wynne, Greenville, N. C.—CP for 100 watts daytime on *1420 kc.*

WFOX, Paramount Broadcasting Corp, Brooklyn, N. Y.—Mod. of lic. to increase hours from one-quarter time, sharing with WLTH, WCGU, and WBBC, to unltd., one-half time. *1400 kc.*

WTAG, Worcester Telegram Publishing Co., Worcester, Mass.—Mod. of lic. to increase night-time power from 250 watts to 500 watts. *580 kc.*

WQDH, A. J. St. Antoine & E. J. Regan. St. Albans, Vt.—CP to move transmitter outside of city limits of St. Albans; change equipment; change frequency to *1340 kc.;* increase power to I kw.

RENEWAL APPLICATIONS RECEIVED

The following applications for renewal licenses were received during the current week:

WBNX, New York, N. Y.; WMSG, New York, N. Y.; KLO, Ogden, Utah: WCDA, New York, N. Y.; WNAD, Norman, Oklahoma; KWSC, Pullman, Wash.: WLB-WGMS, Minneapolis, Minn.

KGER, Long Beach, Calif.: KLS, Oakland, Calif.; KSCJ, Sioux City, Iowa; KXRO, Aberdeen, Wash.; WAAT, Jersey City, N. J.; WBCM, Bay City, Mich.; WBIG, Greensboro, N. C.; WCSC, Charleston, S. C.; WHA, Madison, Wis.; WPHR, Petersburg, Va.: WQBC, Vicksburg, Miss.; WSBT, South Bend, Ind.; WTAQ, Eau Claire, Wis.; WTFI, Athens, Ga.

WCAP, Asbury Park, N. J.: WODA, Paterson, N. J.; WOAX, Trenton, N. J.; WEBC, Superior, Wis.; KMA, Shenandoah, Iowa.

APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission either at the request of the applicant or for the reason they did not comply with regulations:

WMAL, Washington, D. C. (auxiliary): WAMC, Anniston, Ala.; Dietrich Dirks, Lincoln, Nebr.; WHA, Madison, Wis.; KLS, Oakland, Calif.; KGA, Spokane, Wash.; KGER, Long Beach, Calif.: WCAP, Asbury Park, N. J.; WHEC-WABO, Rochester, N. Y.; WODX, Mobile, Ala.; WSBT, South Bend, Ind.

RENEWALS GRANTED

During the current week the Commission granted applications for renewal license for the regular period to the following stations:

WACO, Waco, Tex.; WASH, Grand Rapids, Mich.; WBRC, Birmingham, Ala.; WDAE, Tampa, Fla.: WDAY, Fargo, N. Dak.; WDBJ, Roanoke, Va.; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WKAQ, San Juan, P. R.: WOOD, Grand Rapids, Mich.; WRC, Washington, D. C., and auxiliary: WREN, Lawrence, Kans.: WTAW, College Station, Tex.: WXYZ, Detroit: KDYL, Salt Lake City; KFBB, Great Falls, Mont.; KFKU, Lawrence, Kans.; KFWB, Hollywood, Calif.: KFWI, San Francisco: KGGF, Coffeyville, Kans.: KGGN, Albuquerque, N. Mex.: KGHL, Billings, Mont.: KOL, Seattle: KQW, San Jose, Calif.: KROW, Oakland, Calif.: KRSC, Seattle, KTAT Fort Worth, Tex.; KTFI, Twin Falls, Idaho: KWWG, Brownsville, Tex.: KYA, San Francisco.

MISCELLANEOUS COMMISSION ACTION

KVOA	Robert M. Riculfi Tucson, Ariz.	Reconsidered and granted request to take deposition of Robert M. Riculfi in Tucson, in connection with his application for renewal of license of Station KVOA now pending on the hearing docket.
KGOA	Mitchell Broadcasting Corp. Mitchell, S. D.	Granted temporary license pursuant to and in accordance with temporary restraining order issued by Court of Appeals of the D. C. on March 8, 1933, to operate on *1370 kc.*, 100 watts, unltd. time.
KRLD	KRLD Radio Corp. Dallas, Tex.	Dismissed application on request of station's attorney for Mod. of Lic. to permit operation for a maximum of 6 hours daytime on 1040 kc. with authority to select the hours and to share time with KTHS on *1040 kc.*
KGIZ	Grant City Park Corp. Grant City, Mo.	Renewal of license set for hearing. *1500 kc.*

APPLICATIONS RECEIVED

FIRST ZONE

(None)

SECOND ZONE

WBCM	James E. Davidson Bay City, Mich.	Special authorization to increase power from 500 watts to 1 KW on experimental basis for sixty days. *1410 kc.*
WSAZ	WSAZ, Inc., Huntington, W. Va.	Special authorization to change frequency, power and hours of operation from 580 kcs., 250 watts night, 500 watts to local sunset, shares WOBU to *1190 kcs.*, 500 watts and 1 KW on experimental basis, limited time until sunset at San Antonio, Texas.
WOBU	WOBU, Inc. Charleston, W. Va.	Modification of license to change hours of operation from shares with WSAZ to unlimited. Facilities of WSAZ, Huntington, W. Va. *580 kc.*
NEW	Lee Elton Spencer Greensburg, Pa.	C. P. for new station (transmitter location Jeannette, Pa.) to use *800 kcs.*, 250 watts, daytime.

THIRD ZONE

KOCW	J. T. Griffin Chickasha, Okla.	Mod. of C. P. granted 12/2/32 to make changes in equipment, new transmitter and extend dates of commencement and completion. *1400 kc.*
WSB	Atlanta Journal Co. Atlanta, Ga.	Mod. of C. P. granted 11/17/31 for 50 KW station to extend completion date to 6/17/33. *740 kc.*
NEW	Robert C. Harper Jonesboro, La.	C. P. for new station to use *1370 kcs.*, 40 watts, daytime.
WABZ	Samuel D. Reeks New Orleans, La.	C. P. to move transmitter locally and install new transmitter. *1200 kc.*
WHEF	J. Niles Boyd Wholesale Grocery Co., J. O. Ashworth and J. R. Smithson d/b as Attala Milling & Produce Co. Kosciusko, Miss.	Mod. of C. P. granted 3/18/32 for new station to extend dates of commencement and completion. *1500 kc.*

FOURTH ZONE

NEW	Kenneth A. Hunter and Fred M. Hager, Jr., d/b as Hager and Hunter Owatonna, Minn.	C. P. for new station to use *1310 kcs.*, 25 watts, specified hours 9 a. m. to 3 p. m.
WLB-WGMS	University of Minnesota Minneapolis, Minn.	Mod. of Lic. for change in specified hours of operation to include hours now assigned KFMX. Requests facilities of KFMX, Northfield, Minn. Consent of KFMX given. *1250 kc.*
WLBL	State of Wisconsin, Wisconsin Department of Agriculture & Markets Stevens Point, Wis.	Mod. of lic. to increase power from 2 KW to 2½ KW (daytime station). *900 kc.*

FIFTH ZONE

WGIX	Clyde D. Smith and R. W. Lautzenheiser d/b as Vagas Broadcasting Co. Las Vegas, Nevada	Involuntary assign. of lic. of Station KGIX. *1420 kc.*
NEW	Clyde D. Smith & R. W. Lautzenheiser d/b as Vagas Broadcasting Co. Las Vegas, Nevada	C. P. for new station to use *1420 kcs.*, 100 watts, daytime, facilities KGIX, Las Vegas, Nevada.
KOL	Seattle Broadcasting Co., Inc. Seattle, Wash.	Mod. of lic. to change frequency from *1270 kcs.* to *850 kcs.*

APPLICATIONS GRANTED

(Action subject to the provisions of Rules 44 and 45.)

FIRST ZONE

WLEY	Lexington Air Station Lexington, Mass.	Granted consent to vol. assign. of lic. to Albert S. Moffat. *1370 kc.*
WMCA	Knickerbocker Broadcasting Co. New York, N. Y.	Granted special authority to make tests for a period of 15 days between the hours of 1 and 6 a. m. on auxiliary transmitter. *570 kc.*
WCAD	St. Lawrence University Canton, N. Y.	Granted special authority to operate from 4 to 5:15 p. m., EST, March 12. *1220 kc.*

SECOND ZONE

WAZL	Hazleton Broadcasting Service, Inc. Hazleton, Pa.	Granted authority to operate a maximum of 4 hours a day simultaneously with WILM, at Wilmington, Del. *1420 kc.*

THIRD ZONE

KRMD	Radio Station KRMD, Inc. Shreveport, La.	Granted mod. of lic. to change specified hours of operation to as follows: Daily, except Sunday, 7 a. m. to 1 p. m.; 5 to 8 p. m.; Sunday, 9 a. m. to 6 p. m., CST. *1013 kc.*
WRUF	University of Florida Gainesville, Fla.	Granted authority to operate from 2 to 3 a. m., EST, March 17. *830 kc.*

FOURTH ZONE

WFBM	Indianapolis Power & Light Co. Indianapolis, Ind.	Granted authority to operate simultaneously with Station WSBT March 17 and 18 from 10:15 a. m. to 12 noon, and from 3 to 5:30 p. m., CST, in order to broadcast Basket Ball Tournament. *1230 kc.*
WTAQ	Gillette Rubber Co. Eau Claire, Wis. and KSCJ, the Sioux City Journal Sioux City, Iowa	The Commission reconsidered its action of January 13, 1933, and granted as follows: Changing hours of operation from sharing to simultaneous daytime operation and specified hours at night in accordance with agreement. *580 kc.*
WKBF	Indianapolis Broadcasting Inc. Indianapolis, Ind.	Granted special authority to operate from 7 to 8 p. m., CST, March 17, provided Station WBAA remains silent. *1400 kc.*
WBAA	Purdue University W. Lafayette, Ind.	Granted special authority to operate from 8:30 to 9:30 p. m., CST, March 16, provided WKBF remains silent. *1400 kc.*
KFOR	Howard A. Shuman Lincoln, Nebr.	Granted Mod. of C. P. extending commencement date of C. P. from 9/30/32 to 3/29/33 and extension of completion date from 12/30/32 to 5/29/33. Also granted consent to vol. assign. of lic. to Cornbelt Broadcasting Corporation. *1210 kc.*
KGCR	Greater Kampeska Radio Corp. Watertown, S. Dak.	Granted further extension of Rule 145 until March 15, 1933. *1210 kc.*

FIFTH ZONE

	Copper Electric Co. Lowell, Ariz.	Granted request to take depositions in re its application for C. P., a hearing on which is scheduled for March 27.
KGCX	First State Bank of Vida Walf Point, Mont.	Granted special authority to operate unlimited time March 9, 10, and 11, 1933. *1310 kc.*
KMPC	R. S. Macmillan Beverly Hills, Calif.	Granted consent to vol. assign. of lic. to Beverly Hills Broadcasting Corp. *710 kc.*
KFAC	Los Angeles Broadcasting Co. Los Angeles, Calif.	Granted consent to vol. assign. of lic. to Los Angeles Broadcasting Co., Inc. *1300 kc.*
KFVD	Los Angeles Broadcasting Co. Los Angeles, Calif.	Granted consent to vol. assign. of lic. to Los Angeles Broadcasting Co., Inc. *1000 kc.*

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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BEER ADVERTISING PERMITTED

By a margin of two votes, the Senate on March 16 defeated an amendment to the beer bill offered by Senator Dill, (D) Washington, which would have barred radio advertising of beer in dry states. The amendment would not have affected newspaper or magazine advertising.

"When the bill before the last Congress was reported from the Judiciary Committee it carried an amendment prohibiting advertising in dry states, either by newspapers or by any other method," Senator Dill told the Senate in arguing for his amendment.

"Considerable objection was raised because it was said that a newspaper published in a city in a State that permitted the sale of these beverages, located on the border of an adjoining State that prohibited them, would not be able to circulate in the adjoining State. I recognize that there is much basis for that objection; and for that reason I have put in the proviso that nothing in this amendment shall prohibit the circulation of a newspaper, magazine, or periodical into a State by means of the mails or other transportation. It still prohibits the publication and prohibits the use of other methods of advertising.

"I desire to speak particularly of one of the other methods of advertising that it seems to me it is impossible to control in any other way, and that is the use of advertising by radio.

"It is not sufficient to forbid the radio stations within a State from advertising these beverages, because radio reaches so far that it crosses State lines, and there is no way by which it can be shut out. It seems to me that the radio ought to be kept free from the propaganda that it can be used for if some such provision as this is not in this bill.

"Radio programs reach into the homes as no other kind of information or entertainment can. Radio programs are listened to by the children with an interest that they do not have for any other kind of entertainment. It seems to me that we ought to keep this method of disseminating information from being used to propagandize either the sale of these beverages or the minds of the people of those States where these beverages are forbidden.

"I do not care to argue or discuss the question at length, but I do want the Senate to consider the effect of this legislation if some such amendment is not provided.

"I shall not enter upon a discussion of radio and the objectionable features of the programs we now have; but I just want to suggest for a moment to your imaginations the kind of program to which this legislation will lead unless we make some forbidding provision such as this. We will have presented, no doubt, the most appealing kind of entertainment, the most informative kind of program, and have it sponsored and presented in the name of the breweries and the beer distributors of the country. Before, after, and during the rendition of a beautiful opera, radio listeners will be told of the wonders of this beer, how and where to buy it. Such advertising will accompany every kind of entertainment for children, those of middle life, or for the aged. None will be overlooked. None will be able to avoid it.

"It seems to me that if there is anything that will tend to break down what cultural influence the radio has, small as it may be, this is the worst practice that could be indulged in; and I believe that, regardless of what may be the views of Senators as to the use of this beverage or its desirability, if they will stop and consider that the people in the States that want to forbid it are entitled to be protected from having propaganda for it coming into their homes by means of the radio, they will support this amendment."

Senator Harrison, (D) Mississippi, who was in charge of the bill, at the conclusion of Dill's speech, said:

"I hope the amendment will be rejected."

The vote on the Dill amendment was as follows:

For the amendment—Adams, Ashurst, Austin, Bankhead, Black, Bone, Borah, Bratton, Capper, Caraway, Connally, Dale, Dill, Fess, Frazier, Goldsborough, Gore, Hale, Hastings, Hatfield, Hayden, Keyes, McGill, Neely, Norris, Nye, Pope, Robinson (Ind.), Russell, Sheppard, Smith, Stephens, Thomas (Okla.), Townsend, Vandenberg, and White. Total 36.

Against the amendment—Bachman, Barbour, Brown, Bulkley, Bulow, Clark, Copeland, Couzens, Dieterich, Duffy, Fletcher, Harrison, Hebert, Johnson, Kean, LaFollette, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Murphy, Overton, Patterson, Pittman, Reed, Reynolds, Robinson (Ark.), Steiwer, Thomas (Utah), Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, Wheeler. Total 38.

Not voting—Bailey, Barkley, Byrd, Byrnes, Carey, Coolidge, Costigan, Cutting, Davis, Dickinson, George, Glass, Kendrick, King, Lewis, Logan, McAdoo, Schall, Shipstead. Total 20.

SYKES REAPPOINTED TO COMMISSION

The Senate on March 16 confirmed the reappointment of Judge Eugene O. Sykes, Mississippi, as a member of the Federal Radio Commission. Former President Hoover had reappointed Sykes to the Commission upon the expiration of his term on February 23, but no action was taken on the nomination. President Roosevelt reappointed him on March 13 and his confirmation followed within three days. Under the rules of the Senate two executive sessions must pass before his commission is formally presented to the President for signature.

Judge Sykes is the only remaining member of the original Commission which was created in 1927. He has served as active chairman and will likely become chairman after resuming his post. He headed the United States Delegation at the International Radio Conference held in Madrid last fall and has been named as one of two delegates to represent this country at the forthcoming North American Radio Conference.

President Roosevelt has not yet named a Commissioner to represent the Fourth Zone.

BROADCASTING AND BANKING CRISIS

President Roosevelt's brief radio speech from the White House on March 12, during which he discussed the steps taken by the Government in righting the banking situation, constitutes an important chapter in the history of broadcasting. Public reaction to the President's radio talk was most gratifying to Government officials who have worked long hours with the Chief Executive in the present crisis. Undoubtedly, the President will use radio frequently to keep the public informed of the progress of the Administration's legislative program.

The cooperation of the organized broadcasters was pledged to the President and other high Government officials by President Alfred J. McCosker of the NAB, who has been in Washington almost constantly since March 4, and who has been working diligently on behalf of all broadcasters in the general interests of the Government and the public.

His message, published in "Broadcasting," is worthy of repetition here. It is as follows:

"Upon the broadcasting industry—and no less upon the sponsors of broadcast programs and their agencies—rests a tremendous responsibility. Gratified as we may be with the way radio reported the inauguration ceremonies, the Presidential proclamations, the convening of the new Congress and the general news of the banking crisis, we must not stop with those achievements. Each of us in radio, whether we operate stations or use the time of stations, has an intensified responsibility in the weeks to come, during which President Roosevelt and our other new leaders will unquestionably solve our financial ills.

"That responsibility, in addition to cooperation with our local as well as national leaders, is the maintenance of a spirit of calm, confidence and good humor. Such a spirit should prevail in our own business procedure, of course, but more than that it should be the keynote of our broadcast programs. On behalf of the organized broadcasting industry, I have proffered the new Administration radio's full and unqualified cooperation in the tasks before it. This offer was extended not merely with the thought that we will cheerfully clear the air for the President on an instant's notice as he sees the need, but with the idea that our own peculiarly direct and intimate relations with the people can do much to maintain morale during the crisis.

"As *we* radiated calm, confidence and good humor in our attitude and in our broadcasts, so will the listening public—60,000,000 of our citizens—become infused with the same spirit. Radio's stake is our country's stake. There are no interests paramount to the interests which President Roosevelt, in whom we all have boundless faith, is striving to protect."

DAVIS AMENDMENT BEFORE COURT

The Supreme Court this week granted a review of the so-called WIBO case in which is involved the withdrawal of quota facilities from an over-quota state in an over-quota zone for use in an under-quota state in the same zone.

The case grew out of an application filed by station WJKS at Gary, Indiana (an under-quota state), for the facilities of stations WIBO and WPCC, both located in Chicago, Illinois (an over-quota state). After a hearing before an examiner the Commission, in accordance with the rules set out in General Order 102 (now Rule 6), granted the application of WJKS and denied the applications for renewal of license of WIBO and WPCC. The case was appealed to the Court of Appeals of the District of Columbia by WIBO and WPCC. The Court by a 3 to 2 decision reversed the decision of the Commission, holding, among other things, that it would not be consistent with the legislative policy to equalize the comparative broadcasting facilities of the various states or zones by unnecessarily injuring stations already established which are rendering valuable services to their natural service areas.

Mr. Justice Groner filed a vigorous dissent, supporting the decision of the Commission, stating, among other things, that interstate radio broadcasting is interstate commerce, and that one who engages in interstate commerce does so subject to the regulatory power of Congress, and therefore obtains no property right to be free from the exercise of that power; that the enforcement of the regulation without compensation is not an unconstitutional taking of property, or without due process of law; that the Davis amendment is a determination of policy by Congress, and since it is based on the equality of privilege among the several states, it is neither unreasonable nor arbitrary.

The petition to the United States Supreme Court requesting a review was recommended by the Commission.

BLAND INTRODUCES RADIO BILL

Chairman Bland, (D) Virginia, of the House Merchant Marine, Radio and Fisheries Committee, on March 9, introduced in the House a bill identical with the former Davis bill which was passed by both Houses in last session but failed to win presidential approval. The new bill is designated as H. R. 1735.

The bill would authorize examiners to hold hearings in certain restricted cases and "that in all cases heard by an examiner the commission shall grant oral arguments on request of either party."

The bill would make public all opinions or memorandum opinions filed by the Commission.

Section 9 of the existing law would be amended to permit the Commission to "grant applications for additional licenses for stations not exceeding one hundred watts of power, if the Commission finds that such stations will serve the public convenience, interest or necessity, and that their operation will not interfere with the fair and efficient radio service of stations licensed under the provisions of this section."

The Commission would be empowered to impose a fine of $1,000 for the violations of regulations under an amendment proposed to Section 14 of the present law.

Another section prohibits the broadcasting of any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance.

The bill carries the revision of Section 18 of the present law which would greatly amplify the liability of the station with respect to political talks and discussion of public questions.

Chairman Bland has not yet decided whether the bill will be reported by his committee. House leaders have indicated that they do not desire committee reports on legislation other than that urged by President Roosevelt at this time.

SMITH HEADS NEW YORK COMMITTEE

A meeting of New York State broadcasters was held at Albany, N. Y., March 13 and a committee to be known as the New York State Committee was created to cooperate with the National Association of Broadcasters in connection with local radio matters.

Harold E. Smith, WOKO, was named chairman of the newly created committee. Other members are as follows: P. J. Hennessey, WEAF; Sydney M. Kaye, WABC; Crane Kinnaird, WINS; I. R. Lounsberry, WGR; C. D. Masten, WNBF; William Reuman, WWRL; Clarence Wheeler, WHEC; H. C. Wilder, WSYR.

In addition to those who were named on the committee, the following were present: David Macnair, WOKO; W. G. Wandell, WBEN; S. H. Cook, WFBL; Frank Sykes, WFAS; Mr. Laubenstein, WFAS; Mr. Butts, WGR; Miss C. V. Paisley, WIBX; P. J. Kelly, WIBX; William Weisman, WMCA; and Philip G. Loucks, NAB.

The committee adopted a resolution pledging its support to the NAB and urging that similar committees be organized in other states. It was also decided that all stations in the state be urged to cooperate with the committee in state matters and with the NAB in all other matters.

U. P. READY TO BAN BROADCASTING

Karl A. Bickel, president of the United Press Associations, in a letter to L. B. Palmer, secretary of the American Newspaper Publishers Association, says that his company stands ready to prohibit broadcasting of its news dispatches at any time that the membership of the ANPA votes to support that policy and on condition that the two other major news services take similar action. The U. P. now permits client newspapers to broadcast news on condition that such news broadcasts are not commercially sponsored.

COURT ENJOINS NEWS BROADCASTS

Federal Judge J. D. Elliott on March 14 granted a temporary injunction restraining Station KSOO, Sioux Falls, S. Dak., from broadcasting news dispatches of the Associated Press. A hearing to determine whether the injunction should be made permanent will be held at the April term of the Federal Court.

WJJD APPEALS COMMISSION DECISION

Station WJJD, Mooseheart, Ill., this week appealed to the Court of Appeals of the District of Columbia, the decision of the Commission denying the station authority to operate after sunset at Salt Lake City. The station is seeking to establish its right to the use of the hours after sunset as a part of its regular license. WJJD operates on 1130 kilocycles with 20 kw.

DILL PROPOSES SENATE BROADCASTS

Senator C. C. Dill (D), Washington, on March 15 introduced a resolution (S. Res. 29) in the Senate providing for the installation of necessary apparatus to broadcast proceedings of the upper chamber. The Senate Committee on Rules would be authorized "to make arrangements for the broadcasting of such proceedings of the Senate as the committee may determine through such radio broadcasting stations as it may be possible to arrange for broadcasting without expense to the Senate or the Government."

HOUSE RADIO COMMITTEE MEMBERS

Following is a list of Democrats who have been assigned to the House Merchant Marine, Radio, and Fisheries Committee:

Schuyler Otis Bland (chairman), Virginia; Clay Stone Briggs, Texas; George W. Lindsay, New York; Oscar L. Auf der Heide, New Jersey; Bolivar E. Kemp, Louisiana; William I. Sirovich, New York; Robert Ramspeck, Georgia; Ambrose J. Kennedy, Maryland; Charles N. Crosby, Pennsylvania; A. C. Willford, Iowa; Monrad C. Wallgren, Washington; Lawrence E. Imhoff, Ohio; John Young Brown, Kentucky; Edward C. Moran, Jr., Maine; William B. Umstead, North Carolina; Lincoln L. McCandless, Hawaii; Anthony J. Dimond, Alaska.

Republican members have not yet been announced.

NORTH AMERICAN RADIO CONFERENCE

The work preparatory to the North American Radio Conference pushed forward this week with a study of the uses made of the frequencies below 6000 kc. and their adaptability to the various kinds of services. One very important phase of this study has to do with the propagation characteristics of various frequencies. This task is in the hands of a select committee made up of competent and disinterested engineers. The findings by this committee should contribute to the application of sound engineering principles in the consideration of the many problems involved. The General Committee is scheduled to meet again on March 20.

WOQ CASE GOES BACK TO COMMISSION

The Court of Appeals of the District of Columbia this week handed down a decision in the WOQ case (Docket No. 5582) the effect of which was to remand the case to the Commission to the end that a proper hearing be had before the Commission.

The Commission in its decision reversed the examiner and ordered station WOQ, Kansas City, Mo., off the air and that station KFH, Wichita, Kans., operate full time. The two stations had shared time on the frequency 1300 kc. KFH operated five-sevenths time and WOQ two-sevenths.

The examiner, after hearing, recommended that the application of KFH for full time be denied and that the application of assignment of license asked for by WOQ be granted. KFH obtained an extension of time in which to file exceptions to the examiner's report and request oral argument. According to the decision of the Court the Commission granted KFH the right of oral argument before the Commission en banc without giving WOQ a right to be heard. Concerning the furnishing of other parties with copies of exceptions and the responsibility of the Commission in giving notice to interested parties, the Court said:

"The rules of the Commission require an examiner who has taken testimony to have it transcribed and reported back to the Commission, together with a written report containing recommendations as to the decision to be made and the facts and grounds upon which the recommendations are based. That was done in the present case. The exceptions filed to that report by KFH were accompanied by the affidavit of a clerk in the office of its counsel (as required by the rules of the Commission) that she had mailed a copy of such exceptions "to each of the parties participating in the hearing" before the examiner. Counsel for WOQ in their brief state that no such copy was received. When counsel for the parties are located in the same city we think it better practice to attempt to serve opposite counsel, and in the event mailing is necessary that notice be sent by registered mail.

The function of an examiner is analogous to that of an auditor or special master, and his report has similar weight. The examiner's report in the present case being favorable to WOQ, there was no occasion for that station to file any exceptions. When KFH filed exceptions and requested an oral hearing "before a quorum of the Commission," it was the duty of the Commission before decision to notify WOQ, whose very existence was involved, and afford that station an opportunity to be heard; otherwise, there would be a denial of due process. Symons Broadcasting Co. *v.* Federal Radio Commission, No. 5757 (present term)—App. D. C. —, — F (2d) —; Dohany *v.* Rogers, 281 U. S. 362, 369. The statute imposed upon the Commission jurisdiction to make findings of fact, and if such findings are supported by substantial evidence they are conclusive (act of July 1, 1930, ch. 788, 46 Stat. 844), but they can only be made after notice and an opportunity for hearing. The findings in the present case having been made without notice, the decision must be set aside and the case remanded, to the end that a proper hearing be had before the Commission."

PLANS FOR RADIO PROGRAM FOUNDATION

A series of conferences to perfect the details of the Radio Program Foundation authorized by the St. Louis Convention and by the Board of Directors of the National Association of Broadcasters, have been held by Oswald F. Schuette, director of copyright. Certain legal formalities must still be complied with before the Foundation can be incorporated. In the meantime these conferences have also discussed the machinery which must be set up to make the music of independent composers and publishers speedily available to the cooperating broadcasters. Various catalogues of music, as well as individual compositions, have been offered for this purpose. Further conferences are scheduled to be held in Washington and New York.

RECOMMENDS DENIAL WEBR APPLICATION

Application of Station WEBR, Buffalo, N. Y., for permission to use its regular transmitter during daytime broadcasts and its auxiliary transmitter at night. Report No. 465 (Hyde, e.) Report recommends that the application be denied.

The report points out that the Commission had determined long before the filing of this application that for administrative purposes broadcast stations should be limited to one transmitter per station except in cases where it might be found that an auxiliary transmitter was needed or that desirable experimenal work was to be carried on. "These regulations," says the examiner, "would seem to preclude the granting of this application and accordingly it is recommended that it be denied."

DILL PROPOSES COPYRIGHT REVISION

A bill (S. 342) amending and consolidating the copyright laws of the United States was introduced in the Senate on March 13 by Senator Dill (D), Washington. The bill is similar to the measure introduced by the Senator in the last Congress but which failed of action.

The most important provision of this bill from the standpoint of the broadcaster is Section 21, which attempts to control monopolistic control of music copyrights.

Section 21 reads as follows:

"If two or more persons owning or controlling copyrights or any rights therein combine either directly or by means of an association, society, or corporation to acquire or pool copyrights or rights therein, and to issue or grant licenses or other authorizations for public performance for profit, or for broadcasting performances of copyright works or for the manufacture, lease, or sale of recordings or mechanical reproductions, and to fix and collect fees, charges, or royalties for such licenses or other authorizations, then—

"(a) Every such combination of copyright owners shall file with the Register of Copyright:

"(1) Names and addresses of copyright owners, and if a corporation or association its name, officers and principal place of business, together with a true copy of its agreement or articles of incorporation and by-laws.

"(2) Lists of all copyrighted works, and rights therein, over which such combination exercises or claims control, including those of foreign origin, together with dates of beginning and end of each copyright work.

"(3) Names of the owners of said copyrighted works and the dates on which the term of their copyright begins and ends.

"(4) Statements of all fees, charges, or royalties which such combination of copyright owners collects as compensation for the grants or other authorization, together with such revisions thereof as from time to time shall be made.

"(b) The lists and statements required to be filed under the preceding subsection (a) shall be kept open for public inspection at the Copyright Office.

"(c) Any such combination of copyright owners upon compliance with the foregoing provisions shall be entitled to make a fair and reasonable charge for the rights conferred. Such charge shall be a fixed amount for a definite period of time.

"Proof of failure to comply with the provisions of this section shall be a complete defense to any suit for infringement of a copyrighted work, and no combination of copyright owners or individual owner shall be entitled to sue for or to collect any license fees or royalties with respect to any copyrighted works not specified in the lists filed by it with the Register of Copyrights as herein provided, nor to sue for or collect any fees or royalties which are unreasonable or discriminatory, nor withdraw the performance of more than 10 per centum of the works covered by a license during the period covered by the license.

"Whenever such combination of copyright owners has granted licenses for the use of copyrighted works which it controls, or changes its fees or its lists of copyrighted works covered by an outstanding license not yet expired, any person within each class of users operating under practically the same economic conditions and desiring to make similar use of such works shall, upon application therefor, be entitled to a license under the same terms and conditions as such licensees and it shall be the duty of said combination of copyright owners to grant such license upon payment of the stipulated fee.

"In any action or proceeding brought by such combination of copyright owners, or by any individual owner, for infringement of the copyright in any work which the said combination controls, the infringing party shall be liable—

"(a) To an injunction only with respect to works proved to have been infringed.

"(b) To pay to the owner of the right infringed in lieu of actual damages and profits, damages in accordance with the provisions of this Act, and, in assessing such damages, the court may, in its discretion, allow the amounts stated as payment in full for all infringements by the infringing party of all works controlled by such combination up to the date of suit.

"*Provided*, That whenever any such combination of copyright owners shall discriminate or propose to discriminate against any person within a class of users operating under practically the same economic condition, or shall demand an unreasonable charge for license of the rights to any work which it permits to be used for public performance, then the Federal Trade Commission on request of the person desiring a license, or demanding equal treatment, shall designate a representative, who, together with the representative of the licensor and the representative of the person asking for a license or for equal treatment, shall constitute a committee of arbitration. Such committee is hereby authorized to revise or otherwise prescribe the fees or royalties which the said combination of copyright owners may collect from the aggrieved person in return for the grant or license, said fees and conditions to be such as to prevent discrimination.

"If such combination of copyright owners shall refuse to appoint a representative for arbitration on the request of any party aggrieved as aforesaid, the aggrieved party may petition the Supreme Court of the District of Columbia for an order directing that such arbitration proceed as hereinbefore provided. Ten days' notice in writing of such application shall be made upon the defaulting party and a certified copy of such notice shall be served upon the Federal Trade Commission, which, for purposes of accepting service thereof, shall be deemed its agent. Any petition to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided. Each arbitrator shall be paid $10 per day and expenses, to be paid by the person asking for the arbitration."

It is not likely that action will be had on the bill during the present session of Congress.

CONGRESS PASSES ECONOMY BILL

The Congress this week passed the so-called economy bill giving President Roosevelt broad powers to reorganize governmental bureaus and commissions. No general reorganization has as yet been announced.

ASCAP PUBLISHES OWN BULLETIN

The first issue of "Words and Music," new bulletin of the American Society of Composers, Authors and Publishers, made its appearance on March 14. The purpose of the bulletin, it is stated, is "to give news of the Society to its members and others interested and to publish bits of information about songs and song writers." The leading article in the publication is entitled "Music and Radio," which reviews briefly the formation of the Society and relates in a general way events leading up to the conclusion of the new radio license agreements.

"The Society is not irrevocably committed to this contract and as E. C. Mills, General Manager of the Society, said in a letter to the National Association of Broadcasters, dated January 18, 1933, the Society will welcome conferences with any committee of representative broadcasters looking toward a revision of the formula," the article says in part. "The Society has always been willing to negotiate with any users of its music and it stands ready at any time to meet and discuss mutual problems with any representatives of the broadcasting companies or other licensees."

FEBRUARY RADIO BULLETIN ISSUED

Federal Radio Commission has just issued its Radio Service Bulletin (February) No. 191. Copies may be secured through the Secretary of the Federal Radio Commission or NAB Headquarters, National Press Building, Washington, D. C.

CANADA BUYS BROADCASTING STATIONS

The Canadian Radio Commission has acquired three radio transmitting stations in Canada, according to word received by the Department of Commerce, as the first step in the establishment of a chain of broadcasting stations across the Dominion.

The three stations, situated in Ottawa, Moncton, and Vancouver, were purchased from the Canadian National Railways for a reported price of $50,000. Negotiations are now under way for the leasing of land wires enabling the broadcasting of Dominion-wide chain programs. It is understood, says the report, that after April 1 the regulation restricting advertising to 5 per cent of the time will go into effect. This will govern all Canadian radio broadcasting stations.

WOULD DENY KVOA LICENSE RENEWAL

Application of Robert M. Riculfi (KVOA, Tucson, Ariz.) for renewal of license and assignment of license to Arizona Broadcasting Company, Inc. Report No. 464. (Pratt, e.)

The examiner points out that the licensee is indebted in various amounts to local business people in Tucson and that a judgment was recently rendered against the applicant in the United States District Court for the District of Arizona in favor of the ASCAP in the sum of $1,384; that title to all the physical equipment of the station had been acquired by Mrs. Riculfi; and concluded, that there was not a sufficient showing of financial responsibility to warrant a renewal of license; that while the transfer of the station equipment to Mrs. Riculfi did not appear to constitute a violation of Section 12 of the Radio Act of 1927, the affairs of the licensee generally were in such condition as to militate against the efficient operation of the station; that the record contained no evidence whatever which would warrant a finding that the operation of the station by the Arizona Broadcasting Company, Inc., would serve public interest; and that both applications should be denied.

MANY STATE LEGISLATURES ADJOURN

While many state legislatures have adjourned, it is known that adjournment was decided upon in most cases with an agreement that a special session would be called in the near future. The states seem to be reconciled to the fact that regulation of broadcasting is exclusively a federal function so that there has been practically no regulatory legislation proposed in state legislatures. However, taxation of broadcasters, either on property or income, when proposed at unreasonable rates, is a menace in several states, and must be watched closely. While this is essentially a problem to be solved in each state separately, the NAB Reports try to give a cross section of what is proposed in each state pertaining to radio broadcasting, so that members may have general information on the subject.

OREGON OWNERSHIP BILL KILLED

What might have been a step toward state broadcasting has no doubt been averted by the indefinite postponement (and subsequent adjournment of the legislature) of H. J. Res. 17, which would have amended the Oregon Constitution to permit the state to acquire radio systems to transmit messages.

TENNESSEE FAVORS ATHLETIC BROADCASTS

Tennessee has joined the ranks of Southern States that would permit or compel broadcasting of college football games—all of which was started a couple of years ago when the Southern Conference took a stand against it. South Carolina is the only state that has actually put the law on the statute books this year (March 13), and Tennessee is the latest state to fall in line by H. 417, introduced by Mr. DeLozier on March 7th.

LIABILITY FOR ARTIST'S COAT

When a broadcasting station invites a singer, without compensation, to perform at its studios, and she leaves her coat in a reception room, which she knows is open to the public, and not in the custody of an employee, she assumes the risk of loss and the station is not responsible. This is the decision of the Superior Court of Pennsylvania in Nolde *vs.* WDAS Broadcasting Station, Inc. (Philadelphia), reversing, March 3, 1933, the lower court which found for the plaintiff for $250.

EXEMPT RADIOS FROM TAXATION

Iowa followed Oklahoma in consideration of a proposal to add radio receiving sets to the exempt class when Mr. Reese introduced Bill No. 356 in the Iowa Senate; but a day later it was learned that on March 9th the Oklahoma bill (H. 596) was killed.

LOTTERY CONSPIRACY IS UPHELD

A conspiracy to use the United States mail to deliver circulars, letters, etc., concerning a lottery was sufficiently charged where it was alleged that the prize checks were drawn on a Texas bank, deposited in the United States Mail, and reached their destinations, even though the information concerning the lottery was broadcast from a Mexican station (XED at Reynosa) and regardless of whether or not the conspiracy was originally entered into in the United States or Mexico. Judgment of conviction affirmed by Circuit Court of Appeals, 5th Circuit (Texas) on February 20, 1933, Horwitz et al. *vs.* United States.

FULMER ASKS RADIO INVESTIGATION

Representative Fulmer (D) South Carolina, on March 9 introduced a resolution (H. Con. Res. 1) providing for a study of radio broadcasting in the United States and other countries to obtain information to be used as a basis for legislation. The committee proposed in the measure would be composed of two members of the Senate, two members of the House, one each representing labor, education, religion, the press, the home, and the radio industry. The resolution is similar to one which died with the last session of Congress. It has been referred to the Committee on Rules.

NATIONAL COMMITTEE NAMES CRAVEN

The National Committee on Education by Radio has announced the appointment of Commander T. A. M. Craven, Washington, consulting radio engineer, as its representative to the forthcoming North American Radio Conference. Commander Craven, who has wide experience in international radio conferences, has been named a member of the general committee, headed by Judge Sykes and Senator White, which is preparing for the conference.

McFADDEN PROPOSES INVESTIGATION

Representative McFadden (R), Pennsylvania, on March 9, reintroduced his resolution (H. Res. 19) providing for the creation of a committee of five members to investigate the earnings and expenditures of the National Broadcasting Company and the Columbia Broadcasting System and to determine whether "these major organizations do tend to dominate or monopolize the radio broadcasting field." The resolution is similar to one introduced by Representative McFadden in the last Congress. It has been referred to the Committee on Rules.

FEDERAL TRADE VOTES COMPLAINTS

Formal complaints charging corporations, partnerships and persons engaged in commerce with violations of the laws over which the Federal Trade Commission has jurisdiction were made public in five cases during February. These cases are as follows:

2085—Carleton Mills, Inc., New York City, engaged in the sale of men's clothing. Charged with alleged representation of retail dealer as wholesale dealer.

2086—S. W. Pike, Seedsman, Inc., St. Charles, engaged in the sale of seeds. Charged with alleged representation of articles as gratuities when their cost is included in the price charged for the merchandise with which they are alleged to be given free of charge.

2087—Charles H. Bacon Company et al., Lenoir City, Tenn., manufacturer of hosiery. Charged with alleged misbranding.

2088—Nursol Laboratories, Inc., et al., New York, engaged in the sale of an alleged treatment for epilepsy; and 2089—Charles R. Spicer Company, Inc., Memphis, engaged in the sale of proprietary medicines. Both charged with alleged misrepresentation of therapeutic value.

Orders to cease and desist were made public in the case of Armand Company, Inc., Des Moines (1329), manufacturer of toilet articles and cosmetics, ordered to discontinue the policy of requiring purchasers of products for resale to agree to maintain resale prices fixed by respondent and to agree not to sell to price-cutting retail dealers; and in the case of T. H. Banfield, Berkeley, Calif. (2051), engaged in furnishing correspondence courses of instruction in secretarial duties and business administration and in selling rebuilt typewriters, ordered to discontinue the use of the word "University" in trade name or in any way as descriptive of the business conducted by respondent, to discontinue representing that a students' foundation cooperates with respondent's school or assists the pupils, when such is not the fact, and to discontinue representing the regular prices as special, reduced prices.

Orders of dismissal were issued by the Commission in the case of San Martin and Leon Company, Inc., Tampa (1458), engaged in the sale of cigars; and in the case of Pond's Extract Company, New York City (2019), engaged in the manufacture of toilet preparations.

HEARING CALENDAR

A hearing on a constructive permit application filed by WBEN, Inc., Buffalo, N. Y., for an ultra-high frequency visual broadcasting station will be held Monday, March 20, 1933, at 10 a. m.

On Wednesday, March 22, 1933, at 10 a. m., oral argument will be heard by the Commission sitting en banc on the applications of WKRC, Cincinnati, Ohio, for renewal license (500 watts, and 500 watts additional experimentally); KWEA, Hello World Broadcasting Corp., for renewal and for construction permit to move to Baton Rouge, and W. H. Allen & Co., Alexandria, La., for the facilities of KWEA; WFIW, Hopkinsville, Ky., for renewal and for construction permit to move to Louisville, and WLAP, Louisville, Ky., for the facilities of WFIW.

The application of W1XAL, Shortwave Broadcasting Corp., Boston, Mass., for a relay broadcasting license has been remanded to examiner for further hearing, which will be conducted Friday, March 24, 1933, at 10 a. m.

APPLICATIONS SET FOR HEARING

New, W. L. Gleason, Sacramento, Calif.—C. P. for new station to operate on 1490 kc., unlimited time.

New, Don Lee Broadcasting System, Redlands, Calif.—C. P. for new station to operate on 780 kc., 500 watts, unlimited time (facilities of KTM and KELW).

New, Visual Broadcasting Laboratories, Kansas City, Mo.—C. P. for visual broadcasting; 2750-2850 kc. and 43000-46000 kc., 500 watts.

WMAS, WMAS, Inc., Springfield, Mass.—C. P. to increase day power from 100 to 250 watts, and make changes in equipment increasing maximum rated power from 100 to 250 watts.

WINS, American Radio News Corp., New York, N. Y.—Modification of License to increase operating power from 500 watts to 1 kw.

WIP, Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power from 500 watts to 1 kw. experimentally.

WRDO, WRDO, Inc., Augusta, Me.—C. P. to move to Portland, Me.

APPLICATIONS DISMISSED

The following applications were dismissed at request of applicants:

WEHS	WEHS, Inc., Cicero, Ill.	Mod. of Lic. **1310 kc.**, 100 watts, S. H.
WCLS	WCLS, Inc., Joliet, Ill.	C. P., **1420 kc.**, 100 watts, S. H.
WHFC	WHFC, Inc., Cicero, Ill.	C. P., **1310 kc.**, 100 watts, S. H.
WKBI	WKBI, Inc., Cicero, Ill.	Mod. Lic. **1310 kc.**, 100 watts, S. H.
NEW	Joel E. Wharton Shreveport, La.	C. P., all exp. freqs., 100 watts, unltd. time.

MISCELLANEOUS COMMISSION ACTION

WJBY	Gadsden Broadcasting Co. Gadsden, Ala.	Denied authority to operate at a different location than that specified in license.
KTAB	Associated Broadcasters, Inc., San Francisco, Calif.	Reconsidered action of Feb. 24 in granting C. P. to move station to Oakland, Calif., and on request of applicant cancelled application.

APPLICATION RETURNED

During the current week the Commission returned the following application for the reason it did not comply with Commission regulations:

New, Philip J. Wiseman, Lewiston, Me.

RENEWAL APPLICATIONS RECEIVED

WRC, Washington, D. C.; WHA, Madison, Wis.; WCAP, Asbury Park, N. J.; WODX, Mobile, Ala.; KALE, Portland, Ore.; WCKY, Covington, Ky.; WCAM, Camden, N. J.; WSMB, New Orleans, La.; WLAC, Nashville, Tenn.; WRAW, Reading, Pa.; KOH, Reno, Nevada; KFAC, Los Angeles, Calif.; WHEC, Rochester, N. Y.

RENEWALS GRANTED

The Commission granted renewal of licenses for the regular period, to the following stations:

WAAM, Newark, N. J.; WCAL, Northfield, Minn.; WCSH, Portland, Me.; WDEL, Wilmington, Del.; WDOD, Chattanooga, Tenn.; WDSU, New Orleans; WEBC, Superior, Wis., and auxiliary; WFBM and auxiliary, Indianapolis, Ind.; WFBR, Baltimore, Md.; WHAD, Milwaukee, Wis.; WIBA, Madison, Wis.; WISN, Milwaukee, Wis.; WLBW, Erie, Pa.; WMBX, Springfield, Vt.; WNBZ, Saranac Lake, N. Y.; WODA, Paterson, N. J.; WRHM, Minneapolis, Minn.; WRR, Dallas, Tex.; WTNJ, Trenton, N. J.; WTOC, Savannah, Ga.; KFIO, Spokane, Wash.; KFOX, Long Beach, Cal.; KGBZ, York, Nebr.; KGCA, Decorah, Ia.; KGCU, Mandan, N. Dak.; KMA, Shenandoah, Ia.; KMBC, Kansas City, Mo., and auxiliary; KOIN, Portland, Ore.; KRGV, Harlingen, Texas; KTRH, Houston, Texas; KVOR, Colorado Springs, Colo.; KWLC, Decorah, Iowa.

APPLICATIONS GRANTED

First Zone

WHAM	Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.	Granted authority to determine operating power by direct measurement, and granted license to cover installation of new equipment, moving of transmitter, and power increase to 25 kw. **1150 kc.**
WGNY	Peter Goelet, Chester Township, N. Y.	Granted license covering erection new station 1210 kc., 50 watts, specified hours, also authority determine operating power by direct measurement.
WRNY	Marcus Loew Booking Agency, New York, N. Y.	Granted authority make changes in automatic frequency control.
WGLC	O. T. Griffin & G. F. Bissell, Glens Falls, N. Y.	Granted authority to use new transmitter on program tests pending action on formal application for C. P., for period of 30 days.
WHN	Marcus Loew Booking Agency, New York, N. Y.	Granted special authority to operate 75-watt transmitter for field intensity survey to locate new site. **1010 kc.**

APPLICATIONS GRANTED

Second Zone

WGBI	Scranton Broadcasters, Inc., Scranton, Pa.	Granted C. P. to make equipment changes.

APPLICATIONS GRANTED

Third Zone

WFBC	Greenville News Piedmont Co., Greenville, S. C.	Granted modification of C. P. to change transmitter and studio location locally.
KRMD	Radio Station KRMD, Inc., Shreveport, La.	Granted authority make changes in automatic frequency control.
WAML	Southland Radio Corp., Shreveport, La.	Granted 30 day extension of program test period.
WHET	Troy Broadcasting Co., Troy, Ala.	Granted modification of license to operate from 8 to 9 p. m. Sundays in addition to present hours.
KVOO	Southwestern Sales Corp., Tulsa, Okla.	Granted modification of C. P. extending completion date to 6-17-33.
WGCM	Great Southern Land Co., Gulfport, Miss.	Granted modification of license to change hours from unlimited to specified.
WAML	Southland Radio Corp., Laurel, Miss.	Granted modification of license to change specified hours.
WPTF	Durham Life Insurance Company, Raleigh, N. C.	Granted authority to determine operating power by direct measurement; also consent to voluntary assignment of license to WPTF Radio Company.
WGST	Georgia School of Technology Atlanta, Ga.	Granted authority to take depositions in the matter of hearing on application of Coleman & Dobbins Co.

APPLICATIONS GRANTED

Fourth Zone

KSTP	National Battery Broadcasting Co., St. Paul, Minn.	Granted license covering increase in power from 10 KW to 25 KW on experimental basis. **1460 kc.**
WSUI	State University of Iowa, Iowa City, Iowa	Granted special authority to operate from 10 p. m. CST, March 24, to 1 a. m., March 25.
WTRC	The Truth Publishing Co., Elkhart, Ind.	Granted license covering equipment changes and increase in day power from 50 to 100 watts; 1310 kc., 50 watts night, 100 watts LS. Simultaneous day with WLBC and share night with WLBC. **1310 kc.**
KGFK	Red River Broadcasting Company, Moorhead, Minn.	Granted license covering increase in power from 50 to 100 watts and making changes in equipment. **1500 kc.**, 100 watts unltd. time.

APPLICATIONS GRANTED

Fifth Zone

KIEM	H. H. Hanseth, Eureka, Calif.	Granted modification of C. P. to change equipment and extend completion date.
KTAB	Associated Broadcasters, Inc., San Francisco, Calif.	Granted modification of license to move main studio locally.
KGCX	First State Bank of Vida, Wolf Point, Mont.	Granted consent to voluntary assignment of license to E. E. Krebsbach.
KPO	National Broadcasting Co., San Francisco, Calif.	Granted 10-day extension of program test period.

APPLICATIONS RECEIVED

First Zone

WGLC	O. T. Griffin & G. F. Bissell, Hudson, Falls, N. Y.	Modification C. P. to change equipment. **1370 kc.**

APPLICATIONS RECEIVED

Second Zone

WHBC	Edward P. Graham, Canton, Ohio	License to cover C. P. granted for equipment changes. **1200 kc.**

APPLICATIONS RECEIVED

Third Zone

NEW	Church of Christ, Guy N. Woods, Minister, Post, Texas.	C. P. new station to use **950 kc.**, 5 watts, specified day hours (12 noon to 5 p. m.).
WJEM	Britt A. Rogers, Jr., Tupelo, Miss.	Modification of C. P. for new station to extend commencement and completion dates to 4-9-33 and 7-9-33. **990 kc.**

APPLICATIONS RECEIVED

Fourth Zone

WCAL	St. Olaf College, Northfield, Minn.	C. P. for equipment changes, increase power from 1 KW to 1 KW night, 2½ KW to local sunset. **1250 kc.**
WRHM	Minnesota Broadcasting Corp., Minneapolis, Minn.	Modification license to increase hours of operation to include hours now assigned to KFMX—facilities of KFMX and WLB-WGMS (assigned 8 to 9:30 p. m. Saturdays during Jan., Feb., and March). **1250 kc.**
WKBF	Indianapolis Broadcasting Co., Indianapolis, Ind.	C. P., erect and use transmitter formerly used by WCMA as auxiliary while main transmitter is being moved.

APPLICATIONS RECEIVED

Fifth Zone

NEW	W. L. Gleeson, Monterey, Calif.	C. P. for new station amended to change transmitter and studio location to Monterey, Calif. 1210 kc., 100 watts.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
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HANLEY APPOINTED TO COMMISSION

President Roosevelt on March 23 sent to the Senate the nomination of James H. Hanley of Omaha, Nebr., to be a member of the Federal Radio Commission.

Mr. Hanley, a lawyer, will be the representative from the Fourth Zone, succeeding General Charles McK. Saltzman who resigned more than a year ago.

Senator Dill (D), Washington, chairman of the Senate Interstate Commerce Committee, announced on March 24 that hearings on the Hanley nomination will be held next week, the date to be determined later. It is understood that there is little objection to the appointment and confirmation will follow shortly after hearing.

After the Hanley confirmation, the Commission will have its full complement of five members once again. Since the resignation of General Saltzman the Commission has not had full membership.

Mr. Hanley is a Democrat. He is 50 years old and has been prominent in Nebraska politics. He is a graduate of Creighton University, Nebr., and for four years was secretary to Congressman Loubeck. He is married and has four sons.

JUDGE SYKES ELECTED AS CHAIRMAN

Judge Eugene O. Sykes took the oath of office on March 20 as a member of the Federal Radio Commission for a six-year term dating from February 24, 1933. He succeeds himself as the representative of the Third Zone.

By unanimous vote Judge Sykes was on March 21 elected chairman of the Commission. He is the only member left of the original Commission of five members provided under the Radio Act of 1927, which was organized March 15, 1927. Judge Sykes has served as vice chairman of the Commission since his appointment to the Commission in 1927.

For the time being Judge Sykes will direct his attention largely to preparatory work for the North American Radio Conference to be held in Mexico in the near future.

As chairman of the American Delegation to the International Radio Conference held in Madrid last fall, Judge Sykes acquired a valuable background regarding the problems to be solved at Mexico City.

Judge Sykes is a native of Mississippi and retains his legal residence at Jackson. He received his academic training at St. John's College, Annapolis, and at the United States Naval Academy. He was graduated in law at the University of Mississippi in 1897 and for a time practiced law at Aberdeen, Miss. He served as justice of the Supreme Court of Mississippi from 1916 to 1924, resigning to resume the practice of law.

REORGANIZATION PLANS INDEFINITE

The administration's plans for reorganization of Government bureaus and commissions are still indefinite although many rumors persist.

The reorganization plan is being studied by Secretary of Commerce Roper, Director of the Budget Douglas and Swagar Sherley, Washington lawyer and former chairman of the House Appropriations Committee, but no official announcement has as yet been made. Whether the Radio Commission will be affected by any reorganization finally worked out, is not known at this time. In the meantime, however, President Roosevelt by appointment has completed the Commissioner-personnel of the Commission.

NORTH AMERICAN RADIO CONFERENCE

No date has yet been set for the North American Radio Conference to be held in Mexico City. It is possible this date will be fixed some time in May. Several meetings of the committees engaged in work preparatory to the Conference were held during the week. This work is headed by United States Senator Wallace H. White and the Chairman of the Federal Radio Commission, Eugene O. Sykes, who will represent the United States at the Conference.

ROOSEVELT SIGNS BEER BILL

President Roosevelt on March 22 signed the beer bill permitting the sale of 3.2 per cent beer. The new law becomes effective on April 7. With the resumption of the manufacture and sale of 3.2 per cent beer many breweries will undoubtedly resort to radio for the advertising of their product. The Federal law imposes no restriction upon the advertising by radio or by newspapers of 3.2 per cent beer, but stations are advised to consult their state statutes and local ordinances before accepting beer advertising accounts.

SENATE AUTHORIZES HEARINGS

The Senate on March 20 adopted a resolution authorizing the Senate Interstate Commerce Committee to sit during recess and to hold hearings. The resolution, a routine matter, was adopted on the motion of Senator Dill (D), Washington, chairman of the committee.

WIRED RADIO ALLEGES INFRINGEMENT

Wired Radio, Inc., 60 Broadway, New York, has notified a number of radio broadcasting stations that certain patents owned by this company are being infringed. In letters to stations the company lists the patents which it claims it owns and are being infringed and offers licenses for their future use.

STATE LEGISLATURES' STATUS

Only five of the forty-eight States in the Union are not scheduled to have sessions this year. Forty-one have already met, and two are due to meet soon. Of the forty-one that have met thirteen have adjourned, and all apparently without passing any legislation adversely affecting broadcasting. There is not much field for favorable state legislation in so far as broadcasters are concerned, and about the only laws that have been passed in any states are those authorizing broadcast equipment and automobile receiving sets for police departments, and those compelling certain colleges to permit athletic broadcasts.

KANSAS SLANDER BILL HIT

H. 155, which has passed the Kansas House, was reported unfavorably by the Senate Judiciary Committee on March 20th. This is the bill that makes the person broadcasting the slander subject to a fine of $1,000 or imprisonment for one year, or both.

COMMISSION FILES COURT BRIEFS

The Radio Commission on March 24 filed briefs in dockets Nos. 5604 and 5598 in the Court of Appeals of the District of Columbia. No. 5604 is the case of Fred H. Goss against the Commission because of the refusal of the Commission to grant him a license for a new broadcasting station in Boston, while No. 5598 is the case of Station WLOE, Boston Broadcasting Company, against the Commission because of its action in denying the station a license renewal.

WBBM-KFAB SYNCHRONIZATION APPROVED

The Commission this week authorized the installation of automatic frequency controls and modifications of licenses for stations WBBM, Chicago, and KFAB, Lincoln, Nebraska, to permit synchronizing, on an experimental basis, during the night hours between 10 p. m. and midnight, CST. This action sustained the report of Chief Examiner Yost.

Synchronized operation will make it unnecessary for WBBM to share time at night with KFAB. The synchronizing project, based on comprehensive surveys, will be observed with considerable interest.

RULE 151 SUSPENSION PROVES POPULAR

The suspension by the Federal Radio Commission of Rule 151, as reported in NAB Reports for March 11, 1933, is being utilized by a number of stations to reduce sustaining expense. As shown by this week's record of Commission action, eight stations have elected to reduce hours of operation in the manner made possible by suspension of Rule 151.

COMMUNICATION BILL INTRODUCED

Representative Sam Rayburn of Texas, Chairman of the House Committee on Interstate and Foreign Commerce, has introduced a bill (H. R. 3760) "to establish the Federal Communications and Power Commission, and for other purposes." The bill, which has been referred to Mr. Rayburn's committee, is similar to that introduced by him during the latter part of the last session of Congress.

The bill provides for the appointment of five commissioners, not more than three of whom shall be of the same political party. The salaries shall be $10,000 a year.

Section 2 of the bill is as follows:

"The Commission shall administer all laws of the United States (1) relating to the regulation of the transmission or communication, in interstate or foreign commerce, of intelligence by wire or wireless or otherwise by the use of electrical energy, or (2) relating to the regulation of the transmission or sale of power in interstate or foreign commerce, or to the issuance of licenses for the construction, operation, and maintenance of dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from, or in any of the navigable waters of the United States, or upon any part of the public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam."

HOUSE RADIO COMMITTEE MEETS

The House Committee on Merchant Marine, Radio and Fisheries held an organization meeting on March 23. The meeting was called by Chairman Bland of the committee. None of the bills pending before the committee were taken up during the meeting. It was not decided whether hearings on any of the pending measures will be held during the present short session of Congress.

BINDERS FOR NAB REPORTS

In the first issue of the new NAB REPORTS we called attention to the fact that ring binders could be ordered through Association Headquarters at $2.00 each. These binders are appropriately marked with gold lettering, are durable, and sufficiently large to take care of the issues of NAB REPORTS for two years. A large number of orders have been received, acknowledged and entered. However, the NAB does not have the money to lay in a large supply of these binders to fill future orders, and the benefit of the factory price in lots of one hundred is now being offered. Members are urged to send their orders in promptly to gain the advantage of the 100-lot price. Shipments, direct to the members from the factory, are expected to start before the end of the month, so that it would be advisable to send orders to headquarters immediately.

RADIO ADVERTISING STATISTICS

The March issue of "Survey of Current Business," published by the Department of Commerce, shows that the expenditures for national radio advertising continued during January the downward trend. The report shows that the cost of facilities during January, 1933, were $2,789,000 as compared with $3,006,000 for the month of December. Cost of facilities for January, 1932, amounted to $3,984,000. The figure for January of this year compared favorably with the figure for July, 1932, when expenditures for national radio advertising amounted to $2,997,000.

The downward trend in magazine advertising also continued during January. The total for the month was $5,569,000 as compared with $9,053,000 for November, and $7,827,000 for December. Magazine advertising during January was $2,000,000 less than for the same month a year ago.

There was also a decline in newspaper lineage during January. January lineage totaled 77,957,000 for 52 cities as compared with 91,509,000 for the same cities in December and 100,032,000 in January, 1932.

KFPY COURT APPEAL DENIED

The Court of Appeals of the District of Columbia this week denied an appeal of the Radio Commission in the Symons Broadcasting Company (KFPY, Seattle, Wash.) case, No. 5757, for rehearing. The Court a couple of weeks ago remanded this case back to the Commission for hearing.

OKLAHOMA CITY CASE DISMISSED

On the Commission's motion the Court of Appeals of the District of Columbia this week dismissed the appeal of D. R. Wallace in docket No. 5743. The Commission revoked the license of Station KGMP, Oklahoma City, Okla., and Wallace sought an assignment of the frequency. The Commission refused his application and he appealed to the Court.

COURT DENIES WJJD INJUNCTION

The petition of Station WJJD, Mooseheart, Ill., in the Court of Appeals of the District of Columbia for a stay order was denied this week by the Court in case No. 5896. The motion to dismiss the case was postponed until the hearing on the merits of the case. The Station appealed to the Court from a decision of the Radio Commission denying it authority to operate after sunset Salt Lake City.

RECOMMENDS DENIAL WBAX APPLICATION

Application of Station WBAX, Wilkes-Barre, Pa., to change its frequency from 1210 to 930 kilocycles, increase its power from 100 to 250 watts and change its hours from specified to unlimited time. Report No. 466 (Pratt, E.). Report recommends that the application be denied.

The report states that the present programs of the station are not such as would warrant the granting of an increase in facilities to the station.

The Examiner further states that "although the proposed change in frequency and increase in power would enable the applicant to render a more extensive service from a technical standpoint, there would result objectionable interference between WBAX and other stations operating on the same and adjacent frequencies both in the United States and Canada."

RADIO SPECIALIST ON SOUTHERN TRIP

Dr. C. M. Koon, senior specialist in radio education, U. S. Office of Education, left Washington, March 21, on a trip through West Virginia, North Carolina, South Carolina, Georgia, Florida and Virginia. He will visit broadcasting stations enroute.

FOURTH RADIO INSTITUTE PROGRAM

The program for the Fourth Annual Institute for Education by Radio to be held at Columbus, Ohio, May 4-6, was announced on March 15.

Among the speakers listed are John J. Karol, director of Market Research, Columbia Broadcasting System; Herman S. Hettinger, University of Pennsylvania; Elizabeth Watson, Ohio State University; Tracy F. Tyler, National Committee on Education by Radio; Frank E. Mullen, National Broadcasting Company; V. R. Sill, Ohio State University; H. B. McCarty, WHA, University of Wisconsin; W. W. Charters, Ohio State University; Levering

Tyson, National Advisory Council on Radio in Education; Thomas H. Reed, National Advisory Council on Radio in Education; K. G. Bartlett, WMAC, Syracuse University; C. M. Koon, senior specialist in radio, U. S. Office of Education; Gwendolyn Jenkins, WEAO, Ohio State University; Morse Salisbury, U. S. Department of Agriculture; B. H. Darrow, Ohio School of the Air; Helen Johnson, American School of the Air; Hattie S. Parrott, North Carolina School of the Air; Judith Waller, WMAQ School Broadcasts; Edgar Dale, Ohio State University; Virginia Sanderson, Ohio State University; William H. Vogel, Cincinnati Public Schools; and B. O. Skinner, State Director of Education of Ohio.

RADIO SHOW SET FOR SEPTEMBER

Short-wave broadcasting will be featured at the Electrical and Radio Exposition which will be held at Madison Square Garden on September 22-30, 1933. The show will be held under the sponsorship of the Electrical Association of New York and will be produced and managed by Madison Square Garden's Exposition Department.

CENSUS DISTRIBUTION REPORTS READY

The last of the individual state reports from the census of distribution, covering wholesale and retail trade, have just been issued by the Census Bureau.

The retail reports contain more than 100 tables showing for each kind of business the number of employees, payroll, stock on hand, net sales, operating expenses, and related data; analyzing the credit business of retail stores; showing whether goods were sold by chain stores or independents; and indicating the volume of sales of each commodity group.

The individual state reports on wholesale distribution give a wealth of data on wholesale trade, with valuable information on operating expenses, sales of various commodities, and types of establishments operating in this field, in addition to statistics on volume of business, number of establishments, etc.

The combined information for the entire United States as gathered in the wholesale and retail distribution censuses was published last month in two summary reports, entitled "Wholesale Distribution—Summary for the United States" and "Retail Distribution—Summary for the United States," available for 20 cents each.

"POPULAR MUSIC" MAKES APPEARANCE

An eight-page magazine called "Popular Music" made its appearance in New Orleans, La., on March 10. The two leading articles in the first issue of the new publication deal with the copyright controversy between the National Association of Broadcasters and the American Society of Composers, Authors and Publishers. Most of the space, however, is devoted to a review of activities of various dance bands and one page carries radio programs. Although the magazine is published in New Orleans, stations in that city are not favored with mention of their programs. The magazine's publishing office is 608 Bienville Street, New Orleans; the publisher is the Popular Music Company; and the editor is Orin Blackstone.

NBC PACIFIC COAST STATIONS DROPPED

Stations KPO, San Francisco; KECA, Los Angeles; KEX, Portland; KJR, Seattle; and KGA, Spokane, were dissociated with the National Broadcasting Company, it was reported this week. Duplication of facilities was given as the reason. Stations which will continue to form a part of the chain are KGO, San Francisco; KFI, Los Angeles; KGW, Portland; KOMO, Seattle; and KHQ, Spokane.

ADVERTISING ETHICS CODE ADVANCED

A code of advertising ethics and a standing committee to review cases considered as violating those ethics have resulted from the efforts of the American Association of Advertising Agencies and the Association of National Advertisers. The code classifies as discrediting advertising the following:

1. False statements or misleading exaggerations. 2. Indirect misrepresentation of a product or service through distortion of details. 3. Statements or suggestions offensive to public decency. 4. Statements tending to undermine an industry by attributing to its products, generally, faults and weaknesses true only of a few. 5. Price claims that are misleading. 6. Pseudo-scientific advertising, including claims insufficiently supported by accepted authority, or that distort the true meaning of a statement made by professional or scientific authority. 7. Testimonials which do not reflect the real choice of a competent witness.

AGENCIES STUDY CIRCULATION DATA

The American Association of Advertising Agencies and the Association of National Advertisers are cooperating to the end that newspapers having sound circulation shall be supported.

In a letter sent to the membership of the American Association of Advertising Agencies, John Benson, president of the Association, said:

"It is natural for circulation to decline under present conditions. Publishers doubtless fear that this may involve lower rates, but they also fear that it may indicate to advertisers and agencies that the paper is slipping. They still believe that buyers are mostly interested in volume and will give the business to a rival with a few thousand more, however obtained.

"That is what drives them into the hands of circulation getters who, for a price, can put on any additional readers wanted, by forced methods.

"It seems to me that we owe it to ourselves and to our clients to encourage publishers to let their circulation find its natural level and to indicate as far as possible that we do not care to have boom-time figures maintained by artificial means. Perhaps in the past we have placed undue emphasis on mere quantity and thus become, in a measure, responsible for much of the inflated circulation."

LISTENER FAVORS ADVERTISING

Stations throughout the United States receive many thousands of letters expressing their favorable attitude to radio advertising but few find their way into print. Here is a letter received this week by Station WRVA, Richmond, which is typical of others received by all stations:

"My personal opinion is that reasonable people expect to have to listen to a certain amount of advertising, if it is not too long, as you cannot broadcast for nothing and under the American system of broadcasting listeners should expect it if the program is worth listening to at all. While newspapers have criticised this feature, still if it were not for their advertising columns they would have to suspend publication. The worst offenders are really some of our high grade magazines. You begin a story and instead of being able to turn to the next page and continue your reading, you have to wade thru a lot of pages of advertising to find a fragment of the continuation, and repeat the process ad infinitum. There are very few programs on the NBC which I would consider took up too much time in advertising."

HEARING CALENDAR

Monday, March 27: Copper Electric Co., Inc., Lowell, Ariz.—Application for C. P. for new station to use **1200 kc.**, 100 watts, daytime.

Tuesday, March 28: Jas. P. Hart, Jas. P. Hart, Jr., & Donald W. Parsons, d/b as Gateway Broadcasting Co., Roanoke, Va.—Application for C. P. for new station to use **1410 kc.**, 250 watts, sharing with WHIS (facilities of WRBX), and WRBX, Richmond Development Co., Roanoke, Va.—Application for renewal license.

Wednesday, March 29: Oral argument, before the Commission sitting en banc, will be heard on the application for modification of license to use 1380 kc., 1 kw., unlimited time.

Thursday, March 30: W. E. Dobbins & Maurice C. Coleman, d/b as Coleman-Dobbins Co., Atlanta, Ga.—Application for C. P. for new station to use **890 kc.**, 250 watts, 500 watts L. S., unlimited time (facilities of WGST), and Georgia School of Technology, Atlanta, Ga., WGST—Application for renewal license.

APPLICATIONS SET FOR HEARING

NEW, W. L. Gleeson, Monterey, Calif.—Application for C. P. for new station to operate on **1210 kc.**, 100 watts, unlimited time.

WLB-WGMS, University of Minnesota, Minneapolis, Minn.—Modification of license to change specified hours to include those of KFMX.

KFBK, James McClatchy Co., Sacramento, Calif.—C. P. to move transmitter locally and change frequency and power to **1430 kc.** and 500 watts (facilities of KTM and KELW).

APPLICATIONS GRANTED

First Zone

WNBH	New Bedford Broadcasting Co., New Bedford, Mass.	Granted special temporary to reduce hours of operation.

APPLICATIONS GRANTED

Second Zone

WOBU	WOBU, Inc., Charleston, W. Va.	Modification of license to change hours from sharing with WSAZ to unlimited.
WSAZ	WSAZ, Inc., Huntington, W. Va.	Special authorization to change frequency from 580 kc. to 1190 kc.; increase power from 250 watts night, 500 watts day, to 500 watts night, 1 KW day experimentally, and change hours from sharing with WOBU to limited time until sunset at San Antonio, Texas.
WRAK	WRAK, Inc., Williamsport, Pa.	Granted special temporary authority to reduce hours of operation.
WJMS	WJMS, Inc., Ironwood, Mich.	Granted special temporary authority to reduce hours of operation.
WEAO	Ohio State University, Columbus, Ohio	Granted increase of day power from 750 watts to 1 KW.

APPLICATIONS GRANTED

Third Zone

WGST	Southern Broadcasting Stations, Inc., Atlanta, Ga.	Granted authority to make tests to determine radiation resistance of antenna system.
WHEF	J. Niles Boyd Wholesale Grocery Co., J. O. Ashworth & J. R. Smithson d/b as Attala Milling & Produce Co., Kosciusko, Miss.	Granted modification of C. P. extending dates.
WSOC	WSOC, Inc., Gastonia, N. C.	Granted special temporary authority to reduce hours of operation.
KFLX	George Roy Clough, Galveston, Texas	Granted special temporary authority to reduce hours of operation.
KOB	New Mexico College of Agriculture & Mechanic Arts, Albuquerque, N. M.	Granted special temporary authority to reduce hours of operation.

APPLICATIONS GRANTED

Fourth Zone

WLBL	State of Wisconsin Dept. of Agriculture & Markets, Stevens Point, Wis.	Granted modification of license to increase day power to 2½ KW.
KFNF	Henry Field Co., Shenandoah, Iowa	Granted continuation of special authority to use time assigned to but not used by KUSD and WILL.
KFJB	Marshall Electric Co., Marshalltown, Iowa	Granted special authority to operate from 9 to 12 p. m., March 27.
KDLR	KDLR, Inc., Devil's Lake, N. Dak.	Granted special temporary to reduce hours of operation.
WKBF	Indianapolis Broadcasting Co., Indianapolis, Ind.	Granted extension of authority to use transmitter of WCMA while WKBF is moving transmitter.

APPLICATIONS GRANTED

Fifth Zone

KRKD	Fireside Broadcasting Co., Los Angeles, Calif.	Granted Renewal of license as is, without change in terms.
KFSG	Echo Park Evangelistic Assn., Los Angeles, Calif.	Granted renewal of license as is—1120 kc., 500 watts, KRKD 2/3 time, KFSG 1/3 time.
KOAC	Oregon State Agricultural College, Corvallis, Ore.	Granted special temporary authority to reduce hours of operation.
KUJ	KUJ, Inc., Walla Walla, Wash.	Granted extension of special authority to operate unlimited time.

RENEWAL APPLICATIONS GRANTED

The following stations were granted renewal licenses on a temporary basis for the term beginning April 1, 1933, and ending according to Rule 27: WFIW, Hopkinsville, Ky.; WHN, New York City; WIBG, Glenside, Pa.; WQAO-WPAP, New York City; WRNY, New York City; KVOA, Tucson, Ariz.

Renewal licenses for the regular periods were granted to WAAT, Jersey City, N. J.; WCAE, Pittsburgh, Pa.; WHA, Madison, Wis.; WCAD, Canton, N. Y.; WCAP, Asbury Park, N. J.; WNAD, Norman, Okla.; WGCP, Newark, N. J.; KOIL, Council Bluffs, Ia.; WCAM, Camden, N. J.; WIS, Columbia, S. C.; WNAC-WBIS, Boston, Mass.; WSBT, South Bend, Indiana; KFSG, Los Angeles, Calif.

APPLICATIONS RECEIVED

First Zone

WOAX	WOAX, Inc.	Authority to determine operating power by direct measurement.
NEW	Philip J. Wiseman, Lewiston, Me.	C. P. for new station to use 640 kc., 500 watts. Amended as to transmitter and studio location, and resubmitted.

APPLICATIONS RECEIVED

Second Zone

WEHC	Emory and Henry College, Emory, Va.	Modification of C. P. to move station to Charlottesville—amended as to proposed transmitter location.
WJBU	Bucknell University, Lewisburg, Pa.	Consent to voluntary assignment of license to Charles S. Blue.
WJBU	Charles S. Blue, Sunbury, Pa.	C. P. to move WJBU to Sunbury, Pa.

APPLICATIONS RECEIVED

Third Zone

WAML	Southland Radio Corp., Laurel, Miss.	License to cover C. P. for equipment changes.
KGHI	Lloyd Judd Co., Little Rock, Ark.	C. P. for equipment changes, change frequency and power from 1200 kc., 100 watts, to 570 kc., 500 watts.

APPLICATIONS RECEIVED

Fourth Zone

NEW	Twin City Broadcasting Co. (R. N. Woodworth, R. T. Brown, R. C. Shannon and W. R. Shelter) Bloomington, Ill.	C. P. for new station to use 600 kc., 250 watts, unlimited time.

APPLICATIONS RECEIVED

Fifth Zone

KROW	Educational Broadcasting Corp., Oakland, Calif.	Modification of license to change hours from sharing with KFWI to unlimited.
KFBK	James McClatchy Co., Sacramento, Calif.	C. P. for new transmitter, change frequency and power from 1310 kc., 100 watts, to 1430 kc., 1 KW—facilities of KTM and KELW. Amended as to local transmitter site and resubmitted.
NEW	Eastern Oregon Broadcasting Co., La Grande, Ore.	C. P. for new station to use 1500 kc., 100 watts, unlimited time. Facilities in terms of 0.2 quota units to be withdrawn from KOAC, Corvallis, Ore.
KVOA	Robert Marion Riculfi, Tucson, Ariz.	C. P. to change transmitter and studio location locally.
KGKX	Sandpoint Broadcasting Co., Sandpoint, Idaho	C. P. for changes in equipment and frequency monitor installation.

RENEWAL APPLICATIONS RECEIVED

KFXR, Oklahoma City, Okla.; KMED, Medford, Ore.; WBAX, Wilkes-Barre, Pa.; WCAX, Burlington, Vt.; WHAT, Philadelphia, Pa.; WEBQ, Harrisburg, Ill.; WSBT, South Bend, Ind.; KGA, Spokane, Wash.; WBAA, W. La Fayette, Ind.; WKBF, Indianapolis, Ind.

RENEWAL APPLICATIONS RETURNED

The following applications for renewal licenses were returned to applicants as they were not proper form for Commission consideration:

WCAH, Columbus, Ohio; WHP, Harrisburg, Pa.; WQBC, Vicksburg, Miss.; KFAC, Los Angeles, Calif.

MISCELLANEOUS COMMISSION ACTION

WMAL	National Broadcasting Co., Washington, D. C.	Granted extension of program test period for auxiliary transmitter for 30 days.
WOR	Bamberger Broadcasting Co., Newark, N. J.	Granted authority to operate portable transmitter for test in connection with new site.
WCLS WHFC WEHS WKBI	Joliet, Ill. Cicero, Ill. Evanston, Ill. Cicero, Ill.	Denied petition that the Commission reconsider its action of January 20 in designating applications for hearing and grant same without hearing under Rule 44.
KXL	KXL Broadcasters, Portland, Ore.	Retired to closed files the grant of C. P. to move transmitter.
WPHR	WLBB, Inc., Petersburg, Va.	Application to change frequency, increase power and move to Richmond dismissed at request of applicant.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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NEW COMMISSIONER CONFIRMED

The Senate on March 30 confirmed the nomination of James H. Hanley of Nebraska as member of the Federal Radio Commission from the Fourth Zone succeeding General Charles McK. Saltzman, who resigned last July. The new Commissioner's term runs until February 24, 1936. For the first time since last July there is a full membership of the Commission.

Mr. Hanley appearing before the Senate Committee on Interstate Commerce on March 29 stated that he recognizes the right of the government to safeguard its property rights in the ether. He testified that he is opposed to monopolies of all kinds.

Mr. Hanley appeared before the committee of which Senator Dill of Washington is the new chairman, in connection with his nomination as a member of the Commission.

Senator Dill stated that he had called the hearing because a protest had been filed with the Committee against the nomination by Stanley Hubbard of Station KSTP, St. Paul, Minn., but that Mr. Hubbard later withdrew his opposition.

Mr. Hanley told the Committee that he is a practicing attorney in Omaha. Nebr., and that his name had been presented to President Roosevelt during the Inauguration by Arthur Mullen, Democratic committeeman from Nebraska. Mr. Hanley is vice chairman of the Democratic Committee of Nebraska, he stated.

Asked by various members of the Committee Mr. Hanley stated that he had never been counsel for any public utilities and that he had had no radio experience of any kind, nor is he a stockholder in any radio or affiliated corporation.

Mr. Hanley testified that he has an open mind regarding the Radio Law. He stated that he believed that the educational institutions of the country should have their fair share of radio facilities.

PETTEY NAMED SECRETARY

Herbert L. Pettey, of Kansas City, Missouri, was today appointed Secretary of the Federal Radio Commission, succeeding James W. Baldwin who resigned February 28 to join the executive staff of the National Association of Broadcasters.

Mr. Pettey received his academic training at the University of Kansas. For several years he has been actively engaged in the radio industry in various capacities. At one time he was associated with Metro-Goldwyn-Mayer in the film business. He is 28 years old.

Mr. Pettey was radio director of the last Democratic National Campaign Committee and chairman of the committee in charge of radio broadcasting at the inaguration of President Roosevelt, working in close harmony with Rear Admiral Cary T. Grayson, inaugural chairman.

He was prominently mentioned for Commissioner to represent the Fourth Zone.

COMMISSION FILES FURTHER BRIEF

The Radio Commission on March 30 filed a consolidated brief in the Court of Appeals of the District of Columbia in the following cases: No. 5783, Station WOW vs. Radio Commission with Station KICK as intervener; No. 5784, Station KOIL vs. Radio Commission with Station KICK as intervener; and No. 5785, Station WAAW vs. Radio Commission with Station KICK as intervener.

NO HEARINGS

No broadcast cases will be heard by the Radio Commission during the week beginning April 3rd.

WATT APPLICATION GRANTED

On March 31 the Radio Commission granted Station WAAT, Jersey City, N. J., permission to install and operate equipment of 500 watts instead of 300 watts which it has used heretofore, sustaining Examiner R. H. Hyde in his Report No. 455.

The Commission found that the station is rendering a meritorious service and that the service would be improved by the use of the additional power. It was further found that "no substantial amount of interference would be likely to result from the use of the additional power request."

The State of New Jersey was already over quota.

KARK LICENSE RENEWED

The Radio Commission has denied the application of the Arkansas Radio & Recording Company for the erection of a new station at Little Rock, Ark., on a frequency of 890 kilocycles and granted Station KARK, Little Rock, a renewal of license on that frequency thereby sustaining Examiner Elmer W. Pratt in his Report No. 457.

In its decision the Commission found that the Arkansas Radio & Recording Company did not make sufficient showing of financial responsibility or technical resources to warrant a finding that it should be granted a station license. It found that the continuance of Station KARK would be in the public interest.

SIMULTANEOUS OPERATION DENIED

Stations WFBM, Indianapolis, and WSBT, South Bend, Ind., have been denied simultaneous daytime operation by the Radio Commission in an opinion sustaining Examiner R. H. Hyde in his Report No. 437. Had the application been granted Station WFBM would have reduced its power from 1,000 to 500 watts.

The Commission found that if the application of these stations for simultaneous daytime operation had been granted it would have resulted "in mutual interference within the service area of both stations" and the Commission calls attention to the fact that the Fourth Zone is over quota in broadcast facilities. It was found further that "the granting of these applications would violate the provisions of Commission regulations providing that no application involving the allocation of additional facilities in an over-quota zone may be granted if the grant would result in additional interference with any station or stations now licensed."

WCGU GETS TEMPORARY LICENSE RENEWAL

Broadcasting station WCGU, Brooklyn, N. Y., has been granted a renewal of license on a temporary basis by the Radio Commission pending action on its pending allocation for additional facilities on 1400 kilocycles, sustaining Chief Examiner Ellis A. Yost in his decision in Report No. 445.

The Commission found that the applicant's delay in filing written notice of appearance is not of sufficient consequence to justify a denial of its renewal application.

WNJ MUST CEASE OPERATION

The Radio Commission on March 31 granted Station WHOM, Jersey City, N. J., authority to operate with three-quarters time on 1450 kilocycles with 250 watts power.

At the same time the Commission notified Station WNJ, Newark, N. J., that its temporary authorization for its operation is of no further force and effect and that it must cease operating at once following the refusal of the United States Supreme Court to grant an appeal and in keeping with the Court's decision of November 21, 1932, sustaining the decision of the Commission in refusing to renew its license.

REVIEW OF RADIO CASES ALLOWED

The United States Supreme Court has granted petitions for review of the cases brought by the Federal Radio Commission vs. Nelson Brothers Bond & Mortgage Company, and the Federal Radio Commission vs. North Shore Church, and it is expected that these cases will be argued in the Court during the week of April 10.

PETITIONS REHEARING IN WOQ CASE

The Federal Radio Commission on March 28 petitioned the Court of Appeals of the District of Columbia for a rehearing in the WOQ case, Kansas City, Missouri (Docket No. 5582). The Commission in its petition alleges that the decision was based upon a mistake of fact.

BRIEF FILED IN WLOE CASE

The Federal Radio Commission on March 27 filed its brief in the Court of Appeals of the District of Columbia in the case of William S. Pote against the Commission (Docket No. 5605). The case arises out of an appeal from a decision of the Commission, in which the Commission denied an application for involuntary assignment of license of Station WLOE, Boston Broadcasting Company, Boston, Massachusetts, to William S. Pote.

N. A. C. R. E. ASSEMBLY MAY 19

The annual assembly of the National Advisory Council on Radio in Education will be held at the Waldorf-Astoria in New York on Friday, May 19, 1933. The subject of this year's assembly is "The Future of Educational Broadcasting in the United States." Sessions will be held all day long beginning 9:30 A. M. Details of the program will be announced within a week or two.

All persons interested in this subject have been invited to attend.

RECOMMENDS DENIAL OF LICENSE RENEWAL

Application of Station KGIX, Las Vegas, Nev., for renewal of license and for changing equipment and moving station. Report No. 467 (Hyde, E.). Report recommends applications be denied.

The Examiner found that the applicant's showing does not afford reasonable assurance that he will be able to comply with the Commission's regulations regarding equipment and operating standards if the station is relicensed. "In this situation," the Examiner says, "the only logical recommendation is that both applications be denied."

RADIO EMPLOYMENT UP

The February radio employment index number was 61.9 compared with 57.9 for January and 72 for February of last year taking 1926 at 100, according to the Bureau of Labor Statistics, Department of Labor.

February pay roll index for the same industry was 45.5 compared with 41.9 for January and 61.4 for February of last year.

N. Y. GROSS RECEIPTS TAX

The Buckley Bill (S.1199) imposing a five per cent tax on gross receipts of broadcasting stations was reported favorably by Senate Taxation Committee on March 29th and is now before the New York Senate. The New York State Committee of Broadcasters is actively engaged in opposing this legislation.

HORSE RACING BROADCASTS

The law authorizing and regulating horse racing in the State of Washington was approved by the Governor on March 3, 1933. Section 11 of this law provides as follows: "All radio broadcasting rights, and motion picture rights in connection with meets licensed hereunder, are reserved to the state and the commission shall lease or license same only to the highest bidder. The exercise of such rights shall at all times be under the supervision of the commission. All income therefrom shall be paid into the state treasury and credited to the old-age pension fund."

FOREIGN BROADCAST STATIONS LISTED

According to a recent release by the Federal Radio Commission (No. 8140) the following Broadcasting stations are authorized to operate in Canada, Cuba and Mexico:

CANADIAN BROADCASTING STATIONS*

540	CKOK	Windsor, Ontario	1000
580	CHMA	Edmonton, Alberta	250
580	CFCY	Charlottetown, Prince Edward Island	
580	CKUA	Edmonton, Alberta	500
580	CKCL	Toronto, Ontario	500
600	CNRO	Ottawa, Ontario	500
630	CKTB	Near Fruitland, Ontario	1000 Day, 500 Night
630	CKOC	Near Fruitland, Ontario	1000 Day, 500 Night
630	CHCS	Near Fruitland, Ontario	1000 Day, 500 Night
630	CJGX	Yorkton, Saskatchewan	500
630	CFCT	Victoria, British Columbia	50
630	CNRA	Moncton, New Brunswick	500
645	CKCR	Waterloo, Ontario	100
645	CHRC	Quebec	100
645	CKCI	Quebec	100
665	CHWK	Chilliwack, British Columbia	100
665	CJRM	Old City, Moose Jaw, Saskatchewan	500
665	CJRW	Fleming, Saskatchewan	500
685	VAS	Clace Bay, Nova Scotia	4000 Day, 2000 Night
690	CFAC	Calgary, Alberta	500
690	CJCJ	Calgary, Alberta	500
690	CFRB	Township of King, Ontario	10000
730	CKAC-CHYC	St. Hyacinthe, Quebec	5000
730	CKCD-CHLS	Vancouver, British Columbia	100
730	CKFC	Vancouver, British Columbia	50
730	CKMO	Vancouver, British Columbia	100
730	CKWX	Vancouver, British Columbia	100
745	CJCA	Oliver, Alberta	500
780	CKY	Winnipeg, Manitoba	5000
815	CHNS	Halifax, Nova Scotia	500
815	CNRH	Halifax, Nova Scotia	500
840	CKGW-CJBC-CPRY	Bowmanville, Ontario	5000
840	CKLC	Red Deer. Alberta	1000
840	CHNC	Brownsville, Ontario	5000
880	CHML	Mt. Hamilton	50
880	CKPC	Preston, Ontario	100
880	CKCV	Quebec	50
880	CJCB	Sydney, Nova Scotia	50
890	CKPR	Port Arthur, Ontario	100
890	CKCO	Ottawa, Ontario	100
890	CFBO	St. John, New Brunswick	500
910	CJGC	Strathburn, Ontario	5000
910	CFQC	Saskatoon, Saskatchewan	500
915	CFLC	Prescott, Ontario	100
930	CKX	Brandon, Manitoba	500
930	CFCH	North Bay, Ontario	100
930	CFRC	Kingston, Ontario	250 Day, 50 Night
960	CHCK	Charlottetown, Prince Edward Island	100
960	CKNC	Toronto, Ontario	500
960	CKCK	Regina, Saskatchewan	500
960	CHWC	Pilot Butte, Saskatchewan	500
985	CFCN	Strathmore	10000
1010	CKIC	Wolfville, Nova Scotia	50
1030	CNRV	Lulu Island, British Columbia	500
1030	CFCF	Montreal, Quebec	500
1120	CFC	Toronto, Ontario	500
1120	CHGS	Summerside, Prince Edward Island	500
1120	CJOC	Lethbridge, Alberta	100
1120	CFJC	Kamloops, British Columbia	100
1155	VE10AT	Trail, British Columbia	25
1200	VE10AB	Moose Jaw, Saskatchewan	25
1200	VE10BQ	Brantford, Ontario	5
1200	VE10AK	Stratford, Ontario	10
1200	VE10BU	Canora, Sackatchewan	15
1200	CHCH	Montreal, Quebec	100
1200	VE10BP	Wingham, Ontario	15
1200	CKOV	Kelowna, British Columbia	100
1200	VE10BI	Prince Albert, Saskatchewan	25
1200	CHLP	Montreal, Quebec	100
1210	CFNB	Fredericton, New Brunswick	50
1210	CFCO	Chatham, Ontario	250
1210	CJOR	Sea Island, British Columbia	500
1210	CKMC	Cobalt, Ontario	100

*Notated as follows: Frequency (kc), Call Letters, Location, Power (watts)

In accordance with the new plan for national broadcasting established by the Canadian Government, under which a new Canadian Radio Commission was created, it is proposed to use the following broadcasting frequencies in Canada for a chain of high-power stations:

Saskatchewan	540 kc
Montreal area (1 kw)	600 kc
Prince Edward Island	630 kc
Toronto area (50 kw)	690 kc
Montreal area (50 kw)	730 kc
Port Arthur-Fort William area	780 kc
Western Ontario	840 kc
Ottawa	880 kc
Manitoba	910 kc
Quebec	930 kc
Northern Ontario	960 kc
New Brunswick	1030 kc
Alberta	1030 kc
Nova Scotia	1050 kc
British Columbia	1100 kc
Toronto area (500 watts)	1120 kc

The Canadian Government has also reserved the right to use twenty additional channels for low-power stations limited to a maximum power of 100 watts for local broadcasting service throughout Canada. In establishing such stations it is proposed to maintain the same geographical separation between Canadian and United States stations as is maintained between United States stations of the same power.

CUBAN BROADCASTING STATIONS*

590	CMW	Havana	1400
630	CMQ	Havana	250
630	CMCU	Havana	150
660	CMAF	Miramar	500
730	CMK	Havana	3150
780	CMCQ	Havana	1000
780	CMBS	Havana	150
820	CMGC	Matanzas	30
834	CMGA	Colon	100
840	CMC	Havana	500
890	CMX	Havana	500
890	CMCF	Havana	250
925	CMCN	Marianao	250
925	CMBW	Havana	150
930	CMJF	Camaguey	200
950	CMHD	Caibarien	250
960	CMJL	Camaguey	50
965	CMBD	Havana	150
965	CMCW	Havana	150
987	CMGF	Matanzas	100
1010	CMBZ	Havana	150
1030	CMHI	Santa Clara	30
1034	CMKC	Santiago de Cuba	150
1040	CMGH	Matanzas	15
1050	CMJG	Camaguey	50
1070	CMBG	Havana	225
1070	CMCB	Havana	150
1110	CMJO	Ciego de Avila	50
1125	CMHJ	Cienfuegos	40
1140	CMCD	Havana	250
1140	CMBJ	Havana	150
1150	CMJH	Ciego de Avila	30
1175	CMJE	Camaguey	50
1185	CMCJ	Havana	250
1185	CMBN	Havana	150
1205	CMGB	Matanzas	30
1225	CMHK	Cruces	15
1230	CMBY	Havana	250
1230	CMCA	Havana	150
1240	CMJN	Camaguey	50
1249	CMAB	Pinar del Rio	20
1270	CMBC	Havana	150
1290	CMHL	Cienfuegos	20
1300	CMKJ	Guantanamo	20
1325	CMCY	Havana	1000
1335	CMJI	Ciego de Avila	45
1360	CMJP	Morón	7.5
1365	CMCR	Havana	150
1375	CMGE	Cardenas	30
1382	CMJC	Canaguey	150
1405	CMCH	Havana	50
1405	CMCM	Havana	15
1445	CMBL	Havana	20
1485	CMBR	Arroyo Apolo	40
1485	CMBK	Havana	15

*Notated as follows: Frequency (kc), Call Letters, Location, Power (watts)

MEXICAN BROADCASTING STATIONS*

546.8	XEY	Merida, Yucutan	105
560	XEAO	Mexicali, Baja Calif.	7.5
585	XEPN	Piedras Negras, Coahuila	100,000
610	XETR	Mexico City	1000
638.3	XFG	Mexico City	2000
	XFH	Mexico City	
660	XEM	Matamoros, Tamaulipas	500,000
665-735	XER-XEF	Villa Acuna, Coahuila	500,000
690	XET	Monterrey, Nuevo Leon	500
711	XEM	Mexico City	1000
735-665	XER-XEF	Willa Acuna, Coahuila	500,000
750	XEAN	Juarez, Chihuahua	5000
780	XEP	Mexico City	1000
805	XEC	Aguascalientes	350
818.1	XFI	Mexico City	1000
830	XETW	Mexico City	500
840	XETH	Puebla, Puebla	100
845	XETM	Matamoros, Tamaulipas	150,000
860	XFX	Mexico City	500
875	XEAD	Mexico City	250
890	XETU	Pachuca, Hidalga	100
910	XEW	Mexico City	5000
940	XEFO	Mexico City	5000
940	XFO	Mexico City	5000
965	XEAW	Reynosa, Tamaulipas	10,000
990	XEK	Mexico City	100
1000	XEA	Guadalajara, Jalisco	100
1000	XEC	Toluca, Mexico	50
1000	XEFS	Queretaro, Queretaro	40
1000	XEL	Saltillo, Coahuila	10
1000	XEFE	Nuevo Laredo, Tamaulipas	100
1000	XEFI	Chichahua, Chihuahua	100
1000	XEFJ	Monterrey, Nuevo Leon	100
1010	XEU	Veracruz, Cera Cruz	100
1015	XEJ	Juarez, Chihuahua	500
1020	XEFC	Merida, Yucatan	10
1020	XEFD	Tia Juana, Baja Calif.	300
1030	XEB	Mexico City	10,000
1055	XES	Tampico, Tamaulipas	250
1075	XEG	Mexico City	500
1090	XEAI	Mexico City	100
1115	XENT	Nuevo Laredo, Tamaulipas	150,000
1132	XEH	Monterrey, Neuvo Leon	250
1140	XETA	Mexico City	250
1155	XED	Guadalajara, Jalisco	500
1210	XEX	Mexico City	500
1240	XEFW	Tampico, Tamaulipas	70
1250	XEFA	Mexico City	500
1295	XEAC	San Luis Potosi, San Luis Potosi	100
1310	XEI	Morelia, Michoacan	125
1315	XEFB	Monterrey, Neuvo Leon	100
1370	XEFV	Juarez, Chihuahua	100
1380	XETB	Torreon, Coahuila	125
1450	XEAB	Nuevo Laredo, Tamaulipas	7.5
1500	XEFZ	Mexico City	100

*Notated as follows: Frequency (kc), Call Letters, Location, Power (watts

APPLICATIONS RECEIVED

First Zone

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to increase power from 500 watts to 1 KW., **1330 kc.**

WMCA—Knickerbocker Broadcasting Co., Inc., New York, N. Y.—License to cover construction permit for new auxiliary.

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 to 500 watts; **600 kc.**

Second Zone

NONE

Third Zone

NONE

Fourth Zone

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase power to 250 watts night 1 KW LS. Requests facilities of WKBS, **890 kc.**

WDGY—Dr. George W. Young, Minneapolis, Minn.—License to cover CP for new transmitter.

WGN—WGN, Inc., Chicago, Ill.—CP for equipment changes and increase power from 25 KW to 50 KW.

NEW—Fette Bros., Herbert H. Fette & Ewald Fette, Meriden, Minn.—CP for new station to use **1210 kc.**, 75 watts, daytime.

Fifth Zone

KGAR—Tucson Motor Service Co., Tucson, Ariz.—Modification of license to change frequency from **1370 kc.** to **1450 kc.** and increase power from 100 watts nights 250 watts LS to 250 watts day and night—Facilities of KVOA.

KGFL—KGFL, Inc., Roswell, N. M.—License to cover CP to move station from Ration, N. M.

KPO—National Broadcasting Co., San Francisco, Calif.—License to cover construction permit for 50 KW station.

KPO—National Broadcasting Co., San Francisco, Calif.—Modification of license for authority to use present 5 KW auxiliary when new 50 KW transmitter is licensed.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—CP to move transmitter locally, to use KFI's auxiliary transmitter with changes, and to increase day power from 1 KW to 2½ KW LS.

RENEWAL LICENSE APPLICATIONS

WCLO, Janesville, Wis.; WEBR, Buffalo, N. Y.; WEBR (auxiliary), Buffalo, N. Y.; WEXL, Royal Oak, Mich.; WFAM, South Bend, Ind.; WHP, Harrisburg, Pa.; WIAS, Ottumwa, Iowa; WLAP, Louisville, Ky.; KFJB, Marshalltown, Iowa; KFJI, Klamath Falls, Ore.; KFVS, Cape Girardeau, Mo.; KGFW, Kearney, Nebr.; KGY, Olympia, Wash.; KIDO, Boise, Idaho; KIT, Yakima, Wash.; KPPC, Pasadena, Calif.; WCAH, Columbus, Ohio; KERN, Bakersfield, Calif.; KFAC, Los Angeles, Calif.; KOY, Phoenix, Ariz.; KSTP, St. Paul, Minn.; KWG, Stockton, Calif.; WHBF, Rock Island, Ill.; WIBU, Poynette, Wis.; WIOD-WMBF, Miami, Fla.; WKJC, Lancaster, Pa.; WORC-WEPS, Worcester, Mass.; WTEL, Philadelphia, Pa.; KGER, Long Beach, Calif.; KLS, Oakland, Calif., WSAR, Fall River, Mass.; KDLR, Devils Lake, N. D.; KFBK, Sacramento, Calif.; KGCX, Wolf Point, Mont.; KOMA, Oklahoma City, Okla.; WBBZ, Ponca City, Okla.; WEDC, Chicago, Ill.; WHBU, Anderson, Ind.; WIBU, Poynette, Wis.; WJBI, Red Bank, N. J.; WJBU, Lewisburg, Pa.; WJW, Akron, Ohio; WKJC, Lancaster, Pa.; WMBG, Richmond, Va. (and auxiliary); WTEL, Philadelphia, Pa.

APPLICATIONS RETURNED

The following applications were returned to the applicants either because they were not in proper form for Commission consideration or at the applicant's requests: KGNF, North Platte, Nebr.; KSCJ, Sioux City, Iowa; WCAX, Burlington, Vt.; WTAQ, Eau Claire, Wis.; WTRC, Elkhart, Ind.

APPLICATIONS GRANTED

First Zone

WBAL—Consolidated Gas Electric Light & Power Co., Baltimore, Md.—CP to change location locally and install new antenna system.

WMIL—Arthur Faske, Brooklyn, N. Y.—CP to change location locally and make equipment changes.

WCAD—St. Lawrence University, Canton, N. Y.—Special temporary authority to operate from 4 to 5 pm, April 9, and 3 to 5 pm, May 7, 1933.

WTBO—Associated Broadcasting Corporation, Cumberland, Md.—Granted extension of special authority to reduce hours of operation.

Second Zone

NONE

Third Zone

WJEM—Britt A. Rogers, Tupelo, Miss.—Granted modification of CP extending commencement and completion dates.

WSB—Atlanta Journal Co., Atlanta, Ga.—Granted modification of CP extending completion date to June 17, 1933.

WNAD—University of Oklahoma, Norman, Okla.—Granted special authority to operate from 3 to 5 p. m. CST, April 3 and 10, and from 8 to 10:30 p. m., April 8.

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Granted regular license for regular period instead of conditional license now outstanding.

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Granted special temporary authority to reduce hours of operation.

WFLA-WSUN—Clearwater Chamber of Commerce & St. Petersburg Chamber of Commerce, Clearwater, Fla.—CP to make equipment changes.

WAML—Southland Radio orp., Laurel, Miss.—License to cover CP for **1310 kc.**, 100 watts, specified hours.

WPFB—W. E. Barclift, F. E. Barclift & P. L. Barclift, d/b as Hattiesburg Broadcasting Co., Mattiesburg, Miss.—Special authority to reduce hours of operation.

WCSC—South Carolina Broadcasting Co., Charleston, S. C.—Special authority to reduce hours of operation.

KFYO—T. E. Kirksey, trading as Kirksey Bros., Lubbock, Tex.—Special authority to reduce hours of operation.

Fourth Zone

WSUI—State University of Iowa, Iowa City, Iowa—Granted special authority to operate from 5 to 6 p. m, CST, April 2, 10 to 12 p. m., April 7 and 8, and from 10 p. m., CST, April 21 to 1 a. m., April 22.

WIBW—Topeka Broadcasting Assn., Inc.—Topeka, Kansas—Granted renewal of license for present period in place of additional license now outstanding since WOBU and WSAZ have withdrawn protests.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special authority to reduce hours of operation.

WKBH—WKBH, Inc., La Crosse, Wis.—Granted special authority for remainder of present license period to use 5 to 6 p. m. daily.

KLPM—John B. Cooley, Minot, N. D.—Granted extension of license on temporary basis.

WLB-WGMS—University of Minnesota, Minneapolis, Minn.—Granted in part temporary renewal license for term beginning April 1, 1933, and ending according to Rule 27.

Fifth Zone

KRE—1st Congregational Church of Berkeley, Berkeley, Calif.—Granted special temporary authority to operate from 8:30 to 10 a. m., PST, April 16.

KRSC—Radio Sales Corporation—Seattle, Wash.—Granted authority to operate from 8:30 to 10:30 p. m., April 6 and 7.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—Granted special temporary to reduce hours of operation.

KGEK—Elmer G. Beehler, trading as Beehler Electrical Equipment Co., Yuma, Colo.—Granted special authority to change specified hours.

KFQD—Anchorage Radio Club, Anchorage, Alaska—Granted extension of existing license pending receipt of application for renewal license.

RENEWAL APPLICATIONS GRANTED

KFUL, Galveston, Tex.; KTSA, San Antonio, Tex.; KTW, Seattle, Wash.; KWSC, Pullman, Wash.

APPLICATIONS SET FOR HEARING

NEW—Lee Elton Spencer, Greensburg, Pa.—CP, **800 kc.**, 250 watts daytime.

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Modification of license to increase specified hours to include facilities of KFMX and 8 to 9:30 p. m. Saturdays (now assigned to WLB-WGMS).

KFPY—Symons Broadcasting Co., Spokane, Wash.—Application for modification of license to change frequency from **1340 kc.** to **890 kc.**, to be heard at same time and place as applications of KSEI.

KSEI—Radio Service Corp., Pocatello, Idaho—Suspended modification of license to change frequency from **900 kc.** to **890 kc.**, and designated application for hearing and granted temporary special authorization to operate on **890 kc.** until hearing and action by Commission upon the protests filed by the Symons Broadcasting Company.

APPLICATIONS DISMISSED

WQBC—Delta Broadcasting Co., Vicksburg, Miss.—Modification of license to change frequency, power and hours.

NEW—F. D. & H. D. Conard, d/b as Conard Studio, Garden City, Kansas—CP, **1370 kc.**, 100 watts, share with KGDA.

WFDV—Rome Broadcasting Corporation, Rome, Ga.—CP to change frequency, power and hours.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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COMMISSION FUNDS SLASHED

The Budget Bureau has informed the Radio Commission that there will have to be a further cut in its appropriation for the next fiscal year, beginning July 1, of $140,000.

During the present fiscal year the Commission has an appropriation of $1,111,000, which was the amount granted to the Commission and the Radio Division of the Department of Commerce.

The Commission for the next fiscal year asked for $780,000, which would have been a saving to the government of $331,000 gained by the consolidation of these two bodies. The $780,000 was appropriated by the last session of Congress but President Hoover pocket vetoed the bill containing this amount.

The Commission this week asked the Budget Bureau for this $780,000 but was told that it would have to lop off $140,000 more or have its appropriation aggregate $640,000 for the coming year. This will mean that some employees will have to be let out and it is believed that some of the field offices will also have to be closed, although just what will be done is not yet definitely known.

WORKING ON REORGANIZATION

Major General Charles McK. Saltzman and Judge Ewin Davis are working on a subcommittee in connection with a proposal for the reorganization of the Federal Radio Commission, under Secretary of Commerce Roper, it has become known.

General Saltzman, it will be recalled, was chairman of the Radio Commission up to last July when he resigned and Judge Davis is the author of the Davis amendment to the Radio Law and former chairman of the House Committee on Merchant Marine, Radio and Fisheries.

No official confirmation can be obtained as to just what is being done by this subcommittee but in addition to radio they may be considering telephone, telegraph and cable in view of the fact that General Saltzman as chief of the Signal Corps of the Army is familiar with these forms of communication and they have been mentioned in connection with radio in reorganization work.

ARGUE WIBO CASE NEXT WEEK

The Department of Justice this week filed a brief in the United States Supreme Court in the case of the Radio Commission (Nos. 657-658) against Station WIBO and in the case of the Commission against Station WPCC. The case will be heard by the Court during the week of April 10.

NORTH AMERICAN RADIO CONFERENCE

No date has yet been fixed for the North American Radio Conference scheduled to be held in Mexico City. The committees engaged in preparation for the Conference are continuing the collection and study of technical data.

COMMISSIONER HANLEY TAKES OATH

James H. Hanley, new member of the Federal Radio Commission from the Fourth Zone, and Herbert L. Pettey, new secretary of the Commission, were sworn in on April 1. Mr. Hanley is away until about April 15.

RECOMMENDS NEW STATION DENIAL

W. W. Dobbins and Maurice C. Coleman ask for construction permit for new station at Atlanta, Ga. WGST, Atlanta, applied for license renewal. Report No. 469 (Pratt, e.). Recommends denial of new construction permit and that license renewal be granted WGST.

The Examiner states that Messrs. Dobbins and Coleman asked for a continuance of the case "not supported by substantial grounds, was denied." The applicants were given an opportunity to present evidence but did not and "a motion was made by Commission counsel, and joined in by counsel for WGST, that said application be denied as in cases of default." The Examiner recommended the renewal of the application of WGST as it was "designated for hearing only because of the pendency of the application of Dobbins and Coleman for the facilities assigned to WGST."

ENGINEERING COMMITTEE MEETS

J. A. Chambers, Chairman of the NAB Engineering Committee, has called a meeting at New York, April 8, 1933. The NAB meeting is to be followed by a joint meeting with the I. R. E. Broadcast Committee and the R. M. A. Engineering Committee. The general subject of discussion is hum modulation of broadcasting transmitter carrier waves. The meetings have been called with a view toward arriving at generally accepted performance standards.

WNYC DECISION AFFIRMED BY COURT

The Court of Appeals of the District of Columbia on April 3 handed down a decision in Docket No. 5695, which is the case of Station WNYC, New York City, against the Radio Commission and the Knickerbocker Broadcasting Company and the Eastern Broadcasters, Inc., also of New York City. The Court upheld the decision of the Commission in which it allocated certain time to Station WNYC.

This is the second time that the New York municipal station has been in Court against the Commission in connection with time allocation with Station WMCA, New York City. A couple of years ago WNYC appealed from a somewhat similar decision of the Commission, the Court of Appeals upheld the Commission, and WNYC asked the United States Supreme Court to review the case, which it refused to do.

WNYC and WMCA shared time on 570 kilocycles, while WPCH, New York, operated on 810 kilocycles. Stations WPCH and WMCA are owned by the same parties and when WNYC asked for additional time the Commission transferred WNYC to 810 kilocycles, giving it more time, and put WPCH and WMCA on 570 kilocycles. This did not satisfy WNYC and it appealed to the Court. The Court has upheld the Commission.

"There is nothing in the present case," says the Court," which indicates that appellant is placed at any disadvantage. Indeed, from an examination of the record it would seem that the present license granted is materially to its advantage. The decision of the Commission is affirmed." The decision was written by Associate Justice Josiah A. Van Orsdel.

RMA CONVENTION AT CHICAGO JUNE 6

The ninth annual convention of the Radio Manufacturers Association, including meetings of its divisions, committees and board of directors, will be held at Chicago, June 6, according to arrangements made bv the Association's board at its meeting in New York March 21. Headquarters will be at Stevens Hotel.

FEDERAL SECURITIES BILL

The Federal Securities Bill (H. R. 4314), introduced on March 29, 1933, would give the Federal Trade Commission supervision over the sale and distribution of certain securities in interstate commerce. An identical bill (S. 875) was introduced in the Senate under the same date. Of particular interest to broadcasters are the following provisions:

[Offering, Selling, Advertising, etc., of Securities Unlawful Prior to Registration]

Sec. 3. That, until there shall have been registered with the Commission the statement hereinafter referred to in accordance with the terms and conditions provided by this Act and by the rules and regulations promulgated pursuant thereto, it shall be unlawful for—

(a) Any person to make use of the United States mails or of any means or instruments of transportation or communication to offer in interstate commerce securities, other than those issued by a foreign government or subdivision thereof, for sale or to solicit or accept offers to buy such securities in such commerce;

(b) or for any person to make such offer to sell or to solicit or accept an offer to buy in interstate commerce through the use or medium of any book, magazine, newspaper, or similar publication, or by any circular, advertisement, or printed, written, or other graphic communication or document, or by any spoken communication carried or transmitted through or by such mails or means or instruments of transportation or communication, or any of them;

(c) or to carry or cause to be carried in interstate commerce, by any means or instruments of transportation, for the purpose of sale or for delivery after sale, either directly or through the medium of another, any security not issued by a foreign government or political subdivision thereof;

(d) or for any person to sell or offer for sale or to accept an offer to buy or to announce or advertise in the United States any security of a foreign government or a political subdivision thereof; *Provided,* That the provisions of this section do not apply to the securities and transactions exempted by sections 11 and 12 of this Act.

[Certain Information to Accompany Advertising or Circularization of Securities]

Sec. 8. That it shall be unlawful to carry, transmit, or cause to be carried or transmitted, in interstate commerce, by use of the United States mails or by any means or instruments of transportation or communication, any written, printed, or other graphic communication or document, or by any spoken communication, announcing, offering, or advertising for sale any securities subject to the provisions of this Act, unless such communication or document contains the following information concerning the security so offered:

[Exempt Securities]

Sec. 11. That, except as hereinafter otherwise expressly provided, the provisions of this Act shall not apply to any of the following classes of securities:

(a) Any security issued or guaranteed by the United States or any Territory or insular possession thereof, or by the District of Columbia or by any State of the United States or political subdivision or agency thereof.

(b) Any security issued by and representing an interest in or a direct obligation of any common carrier or other public utility subject to regulation or supervision as to the issue of its securities by a commission, board, or officers of the Government of the United States; or any such security issued by any national bank; or by any corporation created and controlled by and acting as an instrumentality of the Untied States pursuant to authority granted by the Congress of the United States: *Provided,* That nothing in this Act shall relieve any of the organizations mentioned in this subsection from submitting to the respective supervisory units of the Government of the United States, in such manner and form as may be required by the respective units, all information, reports, or other documents that are required under the provisions of section 5 of this Act, and such additional information, reports, and documents as are now or may hereafter be required by other Acts of Congress or by rules and regulations pursuant thereto of the respective units: *And provided further,* That all such organizations mentioned in this subsection shall nevertheless be required to comply with the provisions of section 8 of this Act.

(c) Any security issued by a corporation organized exclusively for religious, educational, benevolent, fraternal, charitable, or reformatory purposes and not for pecuniary profit, and no part of the net earnings of which inures to the benefit of any person, private stockholder, or individual.

(d) Bonds or notes secured by mortgage upon real estate, improved or about to be improved by a residential structure, when the total encumbrances against any single property so mortgaged, including the mortgage securing the bonds and notes exempted by this paragraph, do not exceed $25,000.

(e) Any security, other than common stock, providing for a fixed return, which has been outstanding and in the hands of the public for a period of not less than five years, upon which no default in payment of principal, or failure to pay the return fixed, has occurred for a continuous immediately preceding period of five years, when issued by a person, corporation, or other entity having a total capital stock issued and outstanding not in excess of $100,000.

[Exempt Transactions]

Sec. 12. That, except as hereinafter otherwise expressly provided, the provisions of this Act shall not apply to any of the following transactions:

(a) Judicial, executor's, administrator's guardian's, or conservator's sale, or any sale by a receiver or trustee in insolvency or bankruptcy.

(b) Sales by or for the account of a pledge holder or mortgagee selling or offering for sale or delivery in the ordinary course of business and not for the purpose of avoiding the provisions of this Act, to liquidate a bona fide debt, a security pledged in good faith as collateral for such debt.

[Unlawful Advertising Through Use of Mail or Otherwise]

Sec. 14. That it shall be unlawful for any person, firm, corporation, association, or any other entity to carry or cause to be carried or transmitted in interstate commerce, by or with any means or instruments or agency of transportation or communication, any offer to sell or deliver, directly or indirectly, or to accept an offer to buy, through the use or medium of any book, magazine, newspaper, publication, circular, advertisement, or other printed, written, or spoken communication, when such book, magazine, newspaper, publication, circular, advertisement, or any printed, written, or other graphic or any spoken communication is addressed or otherwise transmitted to any person at any place in any State or Territory of the United States or the District of Columbia, where at that time it is unlawful to sell, offer for sale, tender for sale or delivery, or to solicit subscriptions or orders for such security or securities. The exemptions contained in sections 11 and 12 of this Act shall not apply to the provisions of this section (14).

[Penalty for Violation of Act]

Sec. 17. That whoever shall willfully violate any of the provisions of this Act, or the rules and regulations promulgated by the Commission pursuant thereto, shall upon conviction be fined not more than $5,000 or imprisoned not more than five years, or both; and any officer, director, or agent or any corporation who knowingly participates in such violations shall be punished by a like fine or imprisonment, or both.

QUOTA FIGURES AS OF MARCH 25

According to a recent release of the Federal Radio Commission (No. 8266) radio broadcasting facilities, in terms of quota units, as of March 25, were distributed between zones and states within the zones as follows:

ZONE 1

			± Quota due	
State	Due	Assign.	± Units	± %
N. Y.	35.07	37.95	+2.88	+ 8
Mass.	11.84	10.46	—1.38	— 12
N. J.	11.26	11.53	+0.27	+ 2
Md.	4.55	4.20	—0.35	— 8
Conn.	4.48	3.60	—0.88	— 20
P. R.	4.30	0.50	—3.80	— 88
Me.	2.22	2.24	+0.02	+ 1
R. I.	1.91	1.40	—0.51	— 27
D. C.	1.35	1.30	—0.05	— 4
N. H.	1.29	0.92	—0.37	— 29
Vt.	1.00	0.64	—0.36	— 36
Del.	0.67	0.62	—0.05	— 7
V. I.	0.06	....	—0.06	—100
Total	80.00	75.36	—4.64	— 6

ZONE 2

Pa.	27.63	20.32	—7.31	—26
Ohio	19.07	19.29	+0.22	+ 1
Mich.	13.89	10.63	—3.26	—23
Ky.	7.50	8.50	+1.00	+13
Va.	6.95	9.50	+2.55	+37
W. Va.	4.96	5.20	+0.24	+ 5
Total	80.00	73.44	—6.56	— 8

ZONE 3

Tex.	16.22	22.67	+ 6.45	+ 40
N. Car.	8.82	8.15	— 0.67	— 8
Ga.	8.10	8.15	+ 0.05	+ 1
Ala.	7.37	6.32	— 1.05	— 14
Tenn.	7.29	12.80	+ 5.51	+ 76
Okla.	6.67	8.44	+ 1.77	+ 27
La.	5.85	8.39	+ 2.54	+ 43
Miss.	5.60	3.25	— 2.35	— 42
Ark.	5.16	4.70	— 0.46	— 9
S. Car.	4.83	2.00	— 2.83	— 59
Fla.	4.09	8.45	+ 4.36	+107
Total	80.00	93.32	+13.32	+ 17

ZONE 4

State	Due	Assign.	± Quota due ± Units	± Quota due ± %
Ill.	22.52	34.19	+11.67	+52
Mo.	10.71	11.79	+ 1.08	+10
Ind.	9.56	7.44	— 2.12	—22
Wisc.	8.67	7.74	— 0.93	—11
Minn.	7.57	9.08	+ 1.51	+20
Iowa	7.30	11.60	+ 4.30	+59
Kans.	5.55	5.85	+ 0.30	+ 5
Nebr.	4.06	7.30	+ 3.24	+80
S. Dak.	2.05	3.17	+ 1.12	+55
N. Dak.	2.01	2.99	+ 0.98	+49
Total	80.00	101.15	+21.15	+26

ZONE 5

State	Due	Assign.	± Quota due ± Units	± Quota due ± %
Calif.	36.86	38.06	+ 1.20	+ 3
Wash.	10.15	15.59	+ 5.44	+ 54
Colo.	6.72	9.24	+ 2.52	+ 38
Ore.	6.19	9.22	+ 3.03	+ 49
Mont.	3.49	3.65	+ 0.16	+ 5
Utah	3.30	6.60	+ 3.30	+100
Idaho	2.89	3.00	+ 0.11	+ 4
Ariz.	2.83	2.56	— 0.27	— 10
N. Mex.	2.75	4.03	+ 1.28	+ 47
Hawaii	2.39	1.84	— 0.55	— 23
Wyo.	1.46	0.60	— 0.86	— 59
Nev.	0.59	0.70	+ 0.11	+ 19
Alaska	0.38	0.68	+ 0.30	+ 79
Total	80.00	95.77	+15.77	+ 20

A FEW BINDERS LEFT AT $2.00

Those who ordered binders should receive them within a few days, according to our advice from the factory. There are about twenty-five binders left from our order to the factory. The first twenty-five stations sending orders in will receive these binders at the price of $2.00 each—one binder being large enough to hold two years' issues of NAB REPORTS. Future single orders will have to be filled at the price prevailing when the order is placed at the factory. A representative estimates this price at present about $3.00 each. There is a substantial saving by virtue of the present order—moreover we would like to dispose of the remaining binders.

DISPLAY NAB CODE OF ETHICS

Every member of the National Association of Broadcasters in good standing should have framed and hanging in a prominent position in the reception room, office or studio of the station a copy of the Code of Ethics of the Association. It is a good thing for the station, the Association and the public, to afford your callers an opportunity to read the Code. Copies are now being mailed to members who have recently joined. It is 11 by 14 inches on good quality stiff cardboard, and an ornament to any office. There is no charge, and any member that does not have a copy should write to the Managing Director requesting one.

FURNITURE AND RADIO ADVERTISING

A recent bulletin on the subject of furniture distribution and published by the Department of Commerce indicates that this should be a fertile field for radio advertising. The report says, in part:

"Only 1 store out of 70 reported that it did not advertise at all. Newspapers were far and away the most-used medium of advertising. The amount spent on newspaper advertising by different individual stores varied from nothing to 99 per cent of the total advertising appropriation, being above 70 per cent in the majority of cases. Direct-mail advertising was next in importance. Out of 56 stores reporting, 42 were engaged in direct-mail advertising, but only in the case of 3 stores did it equal more than 40 per cent of the total advertising appropriation. Billboards ranked next as a medium of advertising, 28 out of 59 reporting stores using them. Only 3 of these 28 stores spent more than 30 per cent of their total advertising appropriation on billboards, the highest being 44 per cent.

"Only a few stores used radio and shopping news. Fifteen out of 59 stores used radio, the highest proportion of the total advertising appropriation spent by any one store being 25 per cent. One store stated that it found radio advertising effective only for outstanding sales events. Nine out of 59 stores, in five cities, used the shopping news. Although these stores were so few in number, it is interesting to note that two of them spent on the shopping news 56 and 64 per cent, respectively, of their total advertising appropriations. One store which never advertised through the newspapers stated that it made most effective use of the shopping news by joining with the other merchants who advertised in the shopping news to divide the town into different districts, some of which were set aside as having insufficient potential business to warrant receiving the shopping news."

RADIO RATE CASE REVERSED

The Interstate Commerce Commission has found, following reconsideration of a previous decision that the applicable charges on carload shipments of radio cabinets with built in loud speakers from Two Rivers, Wis., to New York City are not unreasonable and the complaint has been dismissed. In its former finding the Commission decided that the rates were unreasonable. The case is that of the Hamilton Manufacturing Company against the Chicago & North Western Railway Company.

FEDERAL POWER COMMISSION UPHELD

In an opinion handed down this week by Federal Judge Luther B. Way at Norfolk, Virginia, it was held that the Federal Power Commission had jurisdiction over hydroelectric plants on non-navigable streams. The Government's position had been vigorously opposed. The decision is regarded as of far-reaching importance in connection with interpretations of the present powers of the Federal Power Commission and in connection with the proposals for the Federal Government advanced by President Roosevelt and others, for more extensive regulation and supervision of public utilities by the Federal Government.

COMMISSION DELETES CALL LETTERS

The Radio Commission this week deleted the call letters of Station KGMP, Elk City, Okla., on receipt of an order from the Court of Appeals of the District of Columbia dismissing the appeal of the station. The facilities of this station were granted to E. M. Woody, who has been issued a construction permit for a new station.

INDIANAPOLIS APPLICATION DENIED

The Radio Commission affirmed Report No. 442 of Examiner E. H. Hyde by denying the application of the Thirty-first Street Baptist Church for a broadcasting station at Indianapolis, Ind. On June 30, 1932, the Commission made a conditional grant to the church for the erection of a station to use 600 kilocycles with 250 watts power daytime operation, which was later suspended.

The Commission contends that the church is not in a position to adequately finance the proposed new station and that there is no need for an additional broadcast service at Indianapolis.

WJSV DENIED LICENSE AFTER C. P.

The Federal Radio Commission on April 7 denied the application of Station WJSV, Alexandria, Va., for a license following construction permit. However, the Commission granted a new permit to the station to enable it to continue experiments with a view to meeting objections of the Naval Research Laboratory which were interposed against the granting of the license following permit.

POWER INCREASE GRANTED KGNO

With Commissioner Starbuck dissenting, the Radio Commission has granted a power increase to Station KGNO, Dodge City, Kans., from 100 to 250 watts and to change its frequency from 1210 to 1340 kilocycles. By this action the Commission reversed Examiner E. H. Hyde in his Report No. 451.

It was found by the Commission in this case that the station could efficiently make use of the additional facilities and that the past service of the station has been adapted to the interests of its service area. It was found further that the change in operating assignment requested "would permit the applicant to deliver a far better service to the relatively scattered population of what may be referred to as the Dodge City area." The Commission states that no interference is likely because of the changed facilities.

FEDERAL RADIO COMMISSION ACTION
HEARING CALENDAR

Hearings on the following applications will be held Tuesday, April 11, 1933:

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Renewal of license (100 watts, 1210 kc., unlimited time), and for CP to move transmitter locally.

WBHS—W. T., M. M., W. C. & V. F. Hutchens, d/b as The Hutchens Co., Huntsville, Ala.—Renewal of license (1200 kc., 100 watts, shares with WFBC), and voluntary assignment of license to Radio Station WBHS, Inc.

NEW—Kathryn Jones, Florence, Ala.—CP, new station, 1420 kc., 100 watts, daytime.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Modification of CP to extend commencement and completion dates for power increase to 25 KW.

WMBH—W. M. Robertson, Joplin, Mo.—Oral argument on Examiners' Report No. 462, submitted by Examiner Pratt on March 3, recommending denial of application for modification of license to change hours of operation and providing for an increase from 35 to 71½ hours per week to be heard before Commission en banc on April 19, 1933, beginning at 10 a. m.

APPLICATIONS GRANTED

First Zone

WGLC—O. T. Griffin & G. F. Bissell, Hudson Falls, N. Y.—Granted modification of CP to change equipment and granted license covering move of studio and transmitter; increase in daytime power to 100 watts, and installation of new equipment.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted continuance of special authority to operate with precise frequency control simultaneously with WOKO, WHP, WHEC and WCAH on **1430 kc.** for 6 months subject to discontinuance without notice.

WBBC—Brooklyn Broadcasting Corporation, Brooklyn, N. Y.—Granted temporary license, and designated application for renewal for hearing.

WMCA—Knickerbocker Broadcasting Co., Inc., New York—Granted license covering construction of new auxiliary transmitter and moving same from Hoboken to New York.

WDEV—Harry C. Whitehill, Waterbury, Vt.—Granted authority to operate from 2 to 3:30 a. m., April 12 to broadcast special program.

Second Zone

WHBC—Edward P. Graham, Canton, Ohio—Granted license covering installation of new equipment—**1200 kc.,** 10 watts, specified hours.

Third Zone

KOCW—J. T. Griffin, Chickasha, Okla.—Granted modification of CP extending commencement date to 30 days after this date; also authorized change of apparatus.

KWEA—Hello World Broadcasting Corporation, Shreveport, La.—Granted extension to May 1 of special authority to remain silent pending action on CP and renewal application now pending before Commission.

Fourth Zone

KGGF—Powell & Platz, Coffeyville, Kan.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, April 13, provided WNAD remains silent.

Fifth Zone

KPO—National Broadcasting Co., San Francisco, Calif.—Granted license covering local move of transmitter, installation of new equipment and increasing power to 50 KW; also authority to use present equipment as auxiliary.

APPLICATIONS RECEIVED

First Zone

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Involuntary assignment of license from A. V. Tidmore.

WABI—First Universalist Society of Bangor, Bangor, Me.—Modification of license to increase hours of operation to unlimited.

Second Zone

WFDF—Frank D. Fallain, Flint, Mich.—Voluntary assignment of license to Flint Broadcasting Co.

WTAR-WPOR—WTAR Radio Corporation, Norfolk, Va.—Modification of license to increase power from 500 watts to 1 KW.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Authority to install automatic frequency control.

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Modification of license to specify hours of operation (shares with WTEL).

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Modification of license to specify hours of operation (shares with WHAT).

Third Zone

KGKB—East Texas Broadcasting Co., Tyler, Tex.—CP to change equipment and increase power to 250 watts day, 100 watts night.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—CP to change equipment amended to move transmitter locally.

KFLX—George Roy Clough, Galveston, Tex.—CP to move transmitter and studio locally.

WBBX—Coliseum Place Baptist Church, New Orleans, La.—Involuntary assignment of license from Samuel D. Reeks.

KUOA—Southwestern Hotel Company, Fayetteville, Ark.—Modification of license to change frequency from **1390 kc.** to **1260 kc.,** and to change hours from specified to daytime.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Modification of license to change hours from specified to unlimited.

KFUL—The News Publishing Co., Inc., Galveston, Tex.—Consent to voluntary assignment of license to Southwest Broadcasting Co.

KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Modification of license to change hours from shares KFUL to unlimited. (Facilities of KFUL.)

Fourth Zone

NEW—L. C. Memmott & E. H. Carter d/b as "The Voice of the Black Hills," Rapid City, S. Dak.—CP for new station to use **1360 kc.,** 250 watts night, 500 watts to local sunset. (Facilities of WCAT.)

NEW—Raymond M. Brannon, Fremont, Nebr.—CP for new station to use **1500 kc.,** 10 watts daytime, amended and resubmitted to request 100 watts. (Facilities of KFOR.)

Fifth Zone

NEW—William Ellis Phillips, San Diego, Calif.—CP for new station to use **1420 kc.,** 100 watts, unlimited time.

NEW—Otis Hill, Hilo, T. H.—CP for new station to use **1210 kc.,** 100 watts, daytime.

APPLICATIONS RETURNED

NEW—Church of Christ, Post, Tex.—CP for new station to use **950 kc.,** 5 watts, daytime. (Rules 6a, c, d, 120, equipment unsatisfactory, 140, 141, 146 and insufficient information on proposed transmitter location.)

NEW—Hager and Hunter, Kenneth A. Hunter and Fred M. Hager, Jr., Owatonna, Minn.—CP for new station to use **1310 kc.,** 25 watts, daytime. (Rules 6a, c, d, 121, 146, insufficient information on proposed transmitter location.)

NEW—The Derrick Publishing Co., Oil City, Pa.—Application for CP for new station to use **1370 kc.,** 100 watts. (Insufficient information.)

APPLICATIONS SET FOR HEARING

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to increase power from 500 watts to 1,000 watts.

KGIR—KGIR, Inc., Buttem, Mont.—Modification of license to change frequency from **1360** to **1340 kc.**

KGAR—Tucson Motor Service Co., Tucson, Ariz.—Modification of license to change frequency from **1370** to **1450 kc.,** and increase night power from 100 to 250 watts. (Facilities of KVOA.)

WNBW—Home Cut Glass & China Co., Carbondale, Pa.—Involuntary assignment of license from WNBW, Inc., to G. F. Schiessler and M. E. Stephens, d/b as Home Cut Glass & China Co.

WROL—Stuart Broadcasting Co., Knoxville, Tenn.—CP to change frequency from **1310** to **1240 kc.,** increase power from 100 to 250 watts, and change hours to half time with WKAQ.

WPRO-WPAW—Cherry & Webb Broadcasting Co., Providence, R. I.—Modification of CP to change frequency from **1210 kc.** to **630 kc.** and increase power from 100 watts to 250 watts.

MISCELLANEOUS COMMISSION ACTION

WKBZ—Karl L. Ashbacker, Ludington, Mich.—Granted special authority to reduce hours of operation.

KGCA—Charles W. Greenley, Decorah, Iowa—Granted special authority to operate for five days with reduced power.

KFBK—James McClatchy Co., Sacramento, Calif.—Granted order to take depositions in re hearing on CP application scheduled for May 1.

WBAX—John H. Stenger, Wilkes-Barre, Pa.—Granted special authority to remain silent April 1 to April 8 while moving studio.

WPFB—Hattiesburg Broadcasting Co., Hattiesburg, Miss.—Granted special authority to remain silent from April 1 to June 1, because of economic conditions.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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SUPREME COURT HEARS WIBO CASE

The Supreme Court of the United States on Tuesday heard argument in the appeals of the Federal Radio Commission from the decision of the Court of Appeals of the District of Columbia overruling the Commission's grant to Station WJKS, Gary, Ind., of the facilities of Stations WIBO and WPCC, Chicago, Ill.

The Commission, overruling the examiner, granted to the Gary station the frequency of 560 kc. which had been assigned to the Chicago stations and the Court of Appeals reversed the Commission's decision. Station WJKS now operates on a frequency of 1360 kc. Subsequently the Government appealed to the Supreme Court for a review of the lower court's opinion.

The case for the Commission was argued by Solicitor General Thatcher who stated that the Supreme Court had jurisdiction over the case in the light of the amendment to Section 16 of the Radio Act and that the lower court erred in overruling the Commission. It was urged upon the court that in view of the fact that Illinois was over quota and Indiana over quota that the Commission was correct in granting the Indiana application.

Mrs. Mabel Walker Willebrant argued for Station WJKS, confining her remarks largely to a review of the present radio law and the regulations promulgated thereunder.

The case for Stations WIBO and WPCC was argued by Representative James M. Beck, former solicitor general. He argued first that the court was without jurisdiction to review the lower court's decision inasmuch as the lower court in passing upon radio appeals was acting in an administrative capacity. Congress is without power to confer upon a constitutional court jurisdiction in such cases, he said. The Commission is an agent of the Congress in granting "administrative favors," he argued, and the rights conferred through radio licenses were not "justiciable" rights. Congress might have adopted any policy with respect to the use of broadcasting frequencies but chose to grant the licenses to private individuals and corporations. Having thus declared this to be the policy of the Government, these private individuals and corporations have expended large sums of money to exercise the rights conferred and there was at least a presumptive right that stations, once erected and in operation, should continue in operation subject only to the right of revocation for cause set forth in the law. Even though there might be no rights as between a licensee and the sovereign power of the government, there were definite rights between two rival claimants for a facility. The Davis Amendment allocated facilities to states but that amendment did not confer upon an individual station the right to set up that Amendment as against another licensee.

Mr. Beck also questioned the procedure of the Commission in reversing the examiner. He pointed out that the Commission had not heard oral argument prior to its decision and that this failure constituted a violation of due process guaranteed to his clients under the law.

The court will likely render a decision in the case early next month.

REORGANIZATION PLANS NOT ANNOUNCED

While many rumors are current, no official announcement relative to President Roosevelt's plan to reorganize Government bureaus and commissions has as yet been announced. It is understood that a suggested plan for reorganization prepared by Secretary of Commerce Roper and his unofficial committee is now at the White House but it is not known definitely whether the Radio Commission is involved in the plan.

HEARINGS SCHEDULED ON RADIO BILLS

The House Merchant Marine, Radio and Fisheries Committee held a meeting on Thursday and decided to hold hearings on April 27 on two bills (H. R. 1558 and H. R. 1559) introduced by Representative Louis Ludlow of Indiana, relating to the operation of short wave receiving sets. The Committee did not act on any of the other radio measures before it for the reason, perhaps, that the President's reorganization plans and the North American Conference are in the offing. It is doubtful if the House leaders will provide for the consideration of any radio bills during the present special session which is devoting its time entirely to the Roosevelt economy program.

WOULD REGULATE DRUG ADVERTISING

The Department of Agriculture is giving consideration to a revision of the Food and Drugs Act of 1906 which would give to the Government control over advertising of foods and drugs shipped in interstate commerce.

While details of the proposed revision of the law are being closely guarded it has been learned that it is planned to give the Department control over advertising, setting up a licensing system, extending not only to all foods and drugs, but also to corollary articles, such as healing devices, appliances, belts, lamps and similar mechanical apparatus.

Similar provisions have been proposed by the Department in the past but Congress has not seen fit to act upon such proposals. It is doubtful if the proposal to revise the food and drugs act will receive consideration during the present session although there is a possibility that the Department may submit its recommendations before adjournment of the session. The advertising proposal, it is understood, would affect radio, newspapers, magazines and other media alike.

RECOMMENDS DENIAL OF KWKH LICENSE

In a report proposed to the Commission April 8 (Report No. 470), Chief Examiner Yost recommended the refusal to Station KWKH, Hello World Broadcasting Corporation, of a renewal of its license to operate on 850 kc., a cleared channel, and urged the granting of full time to Station WWL, Loyola University, New Orleans, La., on that channel. The stations have been sharing time.

The same report recommends that the application of the International Broadcasting Corporation for a construction permit for a new station at Shreveport be denied; that the National Union Indemnity Association of Shreveport be permitted to withdraw its application for a new station at Shreveport; and that the application of Station WSPA, Virgil V. Evans, Spartanburg, S. C., to change its frequency from 1420 to 850 kc. and increase its power from 100 to 5000 watts be denied.

In his conclusions, the Chief Examiner said that "there is a greater public need at New Orleans for the radio broadcasting facilities now assigned to Station KWKH than there is for the use of these facilities at Shreveport" and that "the granting of the application of Loyola University and the deletion of Station KWKH would not affect the present quota status of the State of Louisiana or of the Third Zone."

The Chief Examiner found also that the Loyola University was "legally, financially, technically and otherwise qualified to operate Station WWL in the public interest, convenience and necessity."

"The financial qualifications, the public service heretofore rendered and the public service proposed to be hereafter rendered by Hello World Broadcasting Corporation on its clear channel assignment at Shreveport do not warrant a finding that the continued operation of Station KWKH would serve public interest, convenience or necessity," the Chief Examiner found.

LOUISIANA STATION DENIED PERMIT

Examiner R. H. Hyde was partially sustained by the Radio Commission in his Report No. 447 by denying to W. H. Allen, Eugene Levy and S. B. Pearce permission to erect a new broadcasting station at Alexandria, La. The Commission denied Station KWEA, Shreveport, La., license renewal with the use of its old equipment, but granted it permission to reconstruct its present transmitter and also denied is application to move to Baton Rouge.

The Commission found that the applicants for the new station do not have "the necessary technical and financial ability to construct and operate the proposed new station in an acceptable manner."

It is further stated by the Commission that there is no convincing evidence that the removal of Station KWEA to Baton Rouge would suit the interests of the general public in the area of that city. The equipment of the station, the Commission states, is obsolete, but the applicant has taken the only step open to it and that the permit for reconstruction of the station would serve public interest.

KTFI GRANTED POWER INCREASE

License renewal was denied Station KGKX, Sandpoint, Idaho, and Station KTFI, Twin Falls, Idaho, was granted a power increase from 500 to 1000 watts, daytime, by the Radio Commission in sustaining Examiner Elmer W. Pratt in his Report No. 449.

The Commission found that increasing the power of KTFI would result in good daytime reception to several thousand potential listeners in a small area where there is at present no good daytime service. It was found also that "public interest, convenience and necessity would be served by the granting of the proposed increase in daytime power to KTFI." The Commission in its decision also says that "the failure of the licensee of KGKX to support this station's application for renewal of license amounts to an abandonment of its facilities and they are therefore available for assignment to KTFI."

STATION WIL GETS ADDITIONAL TIME

The Radio Commission upheld Examiner Elmer W. Pratt in his Reports Nos. 386 and 443 by denying the application of the American Legion Donald Holden Post No. 106 permission to erect a new broadcasting station at Albany, Mo.; denying a license renewal to Station KFWF, St. Louis, Mo.; and granting Station WIL, St. Louis, full time on a frequency of 1200 kilocycles which it shared with KFWF.

It was found by the Commission that Albany, Mo., and the surrounding territory receives adequate broadcasting service and that there was no showing of a need for the service of the proposed new station. There was not sufficient showing either, the Commission states, of financial responsibility.

It is stated by the Commission that the St. Louis Truth Center (KFWF) is not empowered by its charter to operate a broadcasting station for commercial purposes or otherwise. The Commission also points to the collection of money by the station and the sermons of Emil C. Hartmann and "often including statements of a questionable nature regarding healing powers and derogatory to such institutions as hospitals, etc."

WIL, says the Commission, performs an acceptable local broadcasting service and its programs "fill a need for a popular local program service to the listeners of St. Louis." It is further pointed out that the assignment of WIL to full time would afford it an opportunity to extend its service and improve its programs.

WKBH GETS UNLIMITED TIME

Station WKBH, La Crosse, Wis., has been granted unlimited time on its channel of 1380 kilocycles by the Radio Commission reversing Examiner Elmer W. Pratt in his Report No. 454. The station formerly operated on certain specified hours.

The Commission in its decision found that the station is financially and technically qualified to use the additional time and that the granting of full time "would result in increased efficiency and greater convenience in the operation of this station and would enable the applicant through greater financial success to improve programs and service."

It was further found by the Commission that "as the use of unlimited hours would not result in an increase in interference, this application, coming as it does from an under quota state in an over quota zone, may be granted under Section 6 (f) of the Commission's Rules and Regulations."

EXTEND COURT ORDER IN KGDA CASE

The Court of Appeals of the District of Columbia has extended the temporary restraining order which it granted to Station KGDA, Mitchell, S. Dak., until a further order of the Court. In this case the Commission ordered the station off the air. It appealed to the Court and obtained a temporary restraining order and that order has now been extended. The Commission did not oppose the action.

NORTH AMERICAN RADIO CONFERENCE

No further information is available as to a date for the North American Radio Conference scheduled to be held in Mexico City.

LEGISLATURES IN OTHER STATES

Twenty-two State Legislatures have adjourned.

Kansas adjourned March 24th and the Roth Bill to prohibit slander by radio, which had passed the House, died in the Senate.

Georgia passed a law directing that certain State-supported colleges permit broadcasting of athletic events. The Legislature adjourned March 18th, leaving the bill to prohibit radio (and other) advertising of unauthorized insurance companies to die in a House committee.

Oregon adjourned on March 9th and H. J. R. 17, providing for State operation of telephone, telegraph and radio systems, died in the Senate.

Washington adjourned on March 9th and the proposal to memorialize the U. S. Congress not to pass the ASCAP sponsored bill to make liable for copyright charges those who use receiving sets where charges are made died in the House. The bill to license radio operatives also died in the House, but the bill to sell broadcasting rights to the highest bidder at horse races became law.

The following State Legislatures have adjourned without having had any legislation of particular interest to the broadcasting industry: Arizona, Arkansas, Idaho, Indiana, Iowa, Louisiana, Maine, Maryland, Montana, Nevada, New Mexico, North Dakota, South Dakota, Utah, Vermont, West Virginia and Wyoming.

SEEKS CALIFORNIA RADIO COMMISSION

Senator Duval has introduced in the California Senate a bill (S. 1187) which would create a California Radio Authority having power "to supervise all material broadcast from broadcasting stations operated for profit"; to impose a license fee on all commercial stations; and to otherwise regulate the operation of broadcasting stations. The bill is the boldest attempt yet made to supersede federal control of broadcasting by a state authority. Among other things, the bill would give the Authority to be created the power "to initiate proceedings for the cancellation of the federal licenses of broadcasting stations not operated, in the judgment of the State Radio Authority, in the public interest, necessity or convenience."

The bill, clearly unconstitutional, undoubtedly will meet the organized opposition of California broadcasting stations.

Senator Duval represents in the California Senate the district in which the Ventura Free Press is published.

NAB ENGINEERING COMMITTEE MEETS

The NAB Engineering Committee held its first meeting of the year at the Engineering Societies Building, New York City, at 10 a. m. April 8. Those attending were Joe Chambers (Chairman), E. K. Cohan, C. W. Horn, John E. Fetzer, William Foss, R. N. Harmon (for W. C. Evans), J. C. McNary, and Raymond Guy (NBC) and William B. Lodge (CBS).

The meeting was called to consider the problem of hum modulation of broadcasting station carrier waves. Tentative values of permissible hum modulation were outlined, representing conditions easily met by existing stations.

Saturday afternoon, at the New Yorker Hotel, a joint meeting of the NAB Engineering Committee, RMA Engineering Committee, and the IRE Broadcast Committee was held to consider the problem of hum modulation as experienced by both radio transmitters and radio receivers. A resolution was adopted to the effect that the majority of radio transmitters and receivers perform satisfactorily from the hum standpoint, and that the few exceptions to the general rule may best be taken care of by NAB and RMA memberships acting independently.

OKLAHOMA PROPOSES RADIO TAX

The Oklahoma Senate is expected to pass H. B. 619 which proposes a tax of two per cent on the gross proceeds of broadcasting stations. Although it is believed the bill will win Senate approval, there is a prevailing opinion that the measure will gain gubernatorial veto.

BUCKLEY BILL FAILS IN N. Y.

The New York Legislature adjourned on April 10, without enacting the Buckley bill which would have placed a tax of five per cent on gross income of broadcasting stations. The bill drew opposition from the newly formed New York State Committee of the NAB.

FLORIDA LIQUOR ADVERTISING BILL

The judiciary committee of the Florida House has under consideration a bill (H. 306), introduced by Robineau on April 12, proposing an amendment to the Florida law against advertising liquors to exclude those defined as non-intoxicating and permissible under the new law.

INSURANCE ADVERTISING RESTRICTED

The Pennsylvania Senate recently passed a bill (S. 538) which specifically prohibits radio broadcasting of advertisements of insurance companies not authorized to do business in the State. It was referred to the House Committee on Insurance and was favorably reported by that Committee on April 12. It is understood that the bill is sponsored by the State Insurance Commission.

MISSOURI ADVERTISING TAX PROPOSED

The Missouri House has passed H. B. 616 imposing a tax of one per cent on "advertising, except newspapers." Originally the bill imposed the tax on a long list of commodities but an amendment adopted in the House eliminated newspaper advertising.

TEXAS PASSES INCORPORATION BILL

The Texas House on April 11 passed a bill (H. 71) which would correct a deficiency in the Texas laws thereby authorizing the creation of corporations for broadcasting purposes. The present law does not permit the incorporation of broadcasting companies.

MINNESOTA TAX BILL KILLED

Reports from Minnesota indicate that the Gravens-Serline measure which would have imposed a tax of eight per cent upon the gross revenue of broadcasting stations was killed in the Minnesota Taxes and Laws Committee.

REHEARING DENIED IN WOQ CASE

The Court of Appeals of the District of Columbia has denied the motion of the Radio Commission for rehearing in the case of Station WOQ, Kansas City, Mo. The Commission took this station off the air. It appealed to the Court and the Court sent the case back to the Commission for hearing. The Commission asked for rehearing of the case by the Court but this has been denied.

DUBILIER WINS PATENT SUIT

The United States Supreme Court has held that government employees who patent something during their employment are entitled to have the patent issued in their names.

The decision was rendered in connection with radio inventions now licensed to the Dubilier Condenser Company. The suits were instituted by the government in the Federal District Court for Delaware against the Dubilier Company to force it to give to the government rights assigned to it by Percival D. Lowell and Francis W. Dunmore on patents obtained by them on radio inventions while employees at the Bureau of Standards. Chief Justice Hughes and Justices Stone and Cardozo dissented.

RADIO ADVERTISING SHOWS DECLINE

According to the April number of "Survey of Current Business," published by the Department of Commerce, radio advertising for the month of February, 1933, totaled $2,600,000, as compared with $3,891,000 for February, 1932, and $2,795,000 for January, 1933. The greatest reductions appear in the items of tobacco, foods and drugs and toilet goods. Radio advertising by tobacco manufacturers for the month of February, 1933, amounted to $334,000, as compared with $801,000 for February, 1932. The Survey further shows that radio advertising of foods in the month of February, 1933, amounted to $690,000, as compared with $1,001,000 in February, 1932; and that radio advertising of drugs and toilet goods for February, 1933, amounted to $651,000, as compared with $888,000 for February, 1932.

BRITAIN UPHOLDS COPYRIGHT OWNERS

The right of the Performing Right Society of Great Britain to license broadcast receiving sets in hotels, restaurants and public houses was upheld in a test case brought in the Chancery Division in London recently. The court granted a restraining order enjoining the Hammonds-Bradford Brewery Company, London, from permitting the George Hotel to use for reproduction in public any musical work the rights to which were owned by the plaintiff. The case will be appealed to a higher court. The case involves the principle touched upon by the Supreme Court of the United States in the Jewell-LaSalle case.

U. S. OFFERS BROADCAST SCRIPTS

The U. S. Office of Education has sent to broadcasting stations a questionnaire asking if they desire to have weekly scripts suitable for use by local school authorities in presenting educational matter. These scripts will be sent weekly to stations desiring them. They are prepared especially for broadcasting purposes.

NAB COMMERCIAL MEETING IN JUNE

The NAB Commercial Committee is expected to meet shortly to consider a program for the annual meeting of the Commercial Section which will be held in connection with the annual convention of the Advertising Federation of America at Grand Rapids, Mich., next June. The radio meeting will be devoted largely to a discussion of commercial problems of broadcasting.

WRVA COOPERATES WITH SCHOOLS

Station WRVA, Richmond, Va., has a long record of cooperation with Virginia school authorities. Through the courtesy of the station the State Board of Education is sponsoring a series of radio talks on problems of special interest to the prospective graduates of Virginia high schools. The series began a week ago and will continue weekly until May 6. The time is entirely under control of the State Board of Education, the station cooperating in presenting the series.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

WMBH—Wednesday, April 19, 1933, oral argument will be heard by the Commission sitting en banc on the application of WMBH, Joplin, Mo., for a modification of license to increase hours of operation.

A hearing, before an examiner, will be held Friday, April 21, 1933, on the application of Dr. George W. Young, Minneapolis, Minn., for CP for visual broadcasting station (**2000-2100 kc.**, 500 watts).

APPLICATIONS GRANTED

First Zone

WQDM—A. J. St. Antoine & E. J. Regan, St. Albans, Vt.—Granted authority to operate from 2 to 4 p. m. April 16 in addition to regular hours.

WSVS—Seneca Vocational School, Buffalo, N. Y.—Granted authority to remain silent from April 12 to April 24.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted approval of following hours of operation, pending resumption by station WBMS or the assignment of the facilities of WBMS: 8 a. m. to 2 p. m.; 6 p. m. to 12 midnight, daily, EST.

WABI—1st Universalist Society of Bangor, Maine—Granted special temporary authority to operate from 3 to 4 p. m., EST, April 16.

WESG—Cornell University, Elmira, N. Y.—Granted authority to operate until 8 p. m. EST April 16.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate during certain specified hours.

Second Zone

WHIS—Daily Telegraph Printing Co., Inc., Bluefield, W. Va.—Granted renewal of license, **1410 kc.**, 250 watts, sharing equally with WRBX, and application dismissed from hearing docket.

WJSV—Old Dominion Broadcasting Co., Alexandria, Va.—Granted special experimental license to operate until 3 a. m. May 1, **1460 kc.**, 10 KW, midnight to 6:30 a. m. daily in addition to regular broadcast hours to determine results of new antenna system.

WSAN—Allentown Call Publishing Co., Allentown, Pa.—Granted consent to voluntary assignment of license to WSAN, Inc.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted authority to install automatic frequency control.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted authority to operate from 6 to 7 p. m. April 16.

Third Zone

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted renewal of license, **880 kc.**, 500 watts night, 1 KW to local sunset, unlimited time, and application dismissed from hearing docket.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Granted renewal of license, **1450 kc.**, 500 watts, unlimited time, and application dismissed from hearing docket.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted extension of special experimental authority to operate with 1 KW for period of 60 days from April 14.

WBHS—The Hutchens Co., Huntsville, Ala.—Granted authority to Virgil Evans on behalf of WBHS to remain silent from April 1, pending outcome of hearing and while station is being rebuilt.

WNAD—University of Oklahoma, Norman, Okla.—Granted authority to remain silent from midnight April 29 to Tuesday night, October 3, 1933.

Fourth Zone

KGGF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, April 13, provided WNAD remains silent.

KLPM—John B. Cooley, Minot, N. Dak.—Regular license extended until April 30 pending installation of frequency monitor.

KGGF—Powell & Platz, Coffeyville, Kans.—Authorized to use facilities of WNAD from midnight, April 29, to Tuesday night, October 3, 1933.

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Granted authority to operate simultaneously with stations KPO and WPTF from 3 to 4 a. m., EST, April 15.

KSOO—Sioux Falls Broadcasting Association, Sioux Falls, S. Dak.—Granted authority to operate from 8 to 10 p. m., CST, April 18, simultaneously with WRVA, Richmond, Va.

Fifth Zone

KGEZ—Donald C. Trealoar, Kalispell, Mont.—Granted special temporary authority to reduce hours of operation.

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Granted authority to take depositions in re applications set for hearing June 1.

APPLICATIONS SET FOR HEARING

WRAM—Wilmington Radio Assn., Inc., Wilmington, N. C.—Renewal of license.

WBBX—Samuel D. Reeks, New Orleans, La.—CP to change location of transmitter locally, and install new transmitter. Also involuntary assignment of license from Samuel D. Reeks to Coliseum Place Baptist Church.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license.

NEW—C. C. Crawford, Haynesville, La.—CP for new station, **1370 kc.**, 50 watts, specified hours (facilities of KWEA in quota units).

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 to 500 watts.

WHOM—N. J. Broadcasting Corp., Jersey City, N. J.—Modification of license to change time from sharing with WBMS to unlimited (facilities of WBMS).

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase operating daytime power from 500 watts to 1 KW (facilities of WKBS in quota units. Station operates on **890 kc.** night with 250 watts, sharing with KUSD and KFNS).

MISCELLANEOUS COMMISSION ACTION

WBBX—Samuel D. Reeks, New Orleans, La.—Denied authority to use transmitter of WJBO pending action and construction (if authorized) on request to move transmitter locally.

WGN—WGN, Inc., Chicago, Ill.—Denied protest and motion for reconsideration of decision of Commission of March 26, 1933, granting WBBM, Chicago, and KFAB authority experimentally to synchronize during specified night hours.

KFOR—Howard A. Shuman, Assignor, Cornbelt Broadcasting Corp., Assignee, Lincoln, Nebr.—Authority heretofore granted to Howard A. Shuman for voluntary assignment of license of KFOR to Cornbelt Broadcasting Corp. suspended because of protest of Shuman, who charges in effect breach of contract, and case designated for hearing. Protest of Louis B. Maupin, citizen, Lincoln, Nebr., denied.

WBEN—WBEN, Inc., Buffalo, N. Y.—Granted authority to present further evidence with reference to application for CP for new television station at Buffalo, heard before Examiner Pratt on March 20.

WNBX—The WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to reduce hours of operation.

WKFI—J. Pat Scully, Greenville, Miss.—Granted special temporary authority to reduce hours of operation.

KWKC—Wilson Duncan Broadcasting Co., Kansas City, Mo.—Denied request to operate from 12 midnight to 6 a. m. for period of 30 days to broadcast all request commercial programs for benefit of attendance at beer parties.

WERE—Erie Despatch Herald Broadcasting Corp., Erie, Pa.—Court of Appeals of D. C. dismissed appeal of this station on Commission's motion to dismiss for non-payment of fees for printing record.

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Granted permission to intervene in application of KSEI for modification of license.

KTM—Pickwick Broadcasting Corp., Los Angeles, Calif., and KELW, Magnolia Park, Ltd., Burbank, Calif.—Hearing on applications for facilities of these two stations, set for May 1, postponed until June 1, 1933.

NEW—Atlas Broadcasting Corp., Jersey City, N. J.—Application for CP for new station to use **1450 kc.**, 500 watts dismissed at request of applicant.

APPLICATIONS RECEIVED

First Zone

WINS—American Radio News Corp., New York, N. Y.—CP to move transmitter from Astoria, L. I., to Carlstadt, N. J.

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Modification of license to use 5 KW transmitter, formerly licensed, as auxiliary.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Modification of license to increase night power to 500 watts experimentally (present assignment 250 watts night, 500 watts day).

WBZ—Westinghouse Electric & Mfg. Co., Boston, Mass.—Modification of license to increase power from 25 KW to 50 KW.

WHDH—Matheson Radio Co., Boston, Mass.—Modification of license to change hours of operation from daytime to unlimited time on **830 kc.** resubmitted without amendment.

Second Zone

WLIT—Lit Brothers Broadcasting System, Inc., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.

NEW—William L. Slade, Hamilton, Ohio—CP for new station on **1370 kc.**, 100 watts, unlimited time, facilities of WHBD, Mt. Orab, Ohio, amended to change frequency to **1420 kc.** and to request all facilities of WHBD except frequency, and to change antenna specifications.

WIBM—WIBM, Inc., Jackson, Mich.—Application for modification of license to change hours of operation amended to request change in specified night hours only.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Application for modification of license to change hours of operation amended to request change in specified night hours only.

NEW—Leo J. Omelian, Erie, Pa.—CP for new station at Erie, Pa., **1420 kc.**, 100 watts night, 250 watts day, unlimited time, facilities of WERE, Erie, Pa.

WFI—WFI Broadcasting Company, Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.

Third Zone

KUOA—Southwestern Hotel Co., Fayetteville, Ark.—Voluntary assignment of license to KUOA, Inc.

KUOA—Southwestern Hotel Co., Fayetteville, Ark.—CP to make changes in equipment and move transmitter locally (filed in name of KUOA, Inc.).

KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Modification of license to change hours of operation from sharing with KFUL to unlimited time (facilities of KFUL), amended to change power from 1 KW night, 2½ KW day to 1 KW day and night.

Fourth Zone

NEW—Hager & Hunter (Kenneth A. Hunter and Fred M. Hager, Jr.), Owatonna, Minn.—CP for new station on **1310 kc.**, 25 watts, specified hours, amended to request 100 watts daytime hours of operation, change in transmitter location (facilities of KFMX, Northfield, Minn.).

Fifth Zone

KGIR—KGIR, Inc., Butte, Mont.—CP to change equipment and increase day power to 1 KW.

KGGM—New Mexico Broadcasting Co., Aubuquerque, N. M.—License covering CP for local move and equipment changes.

KREG—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Change in automatic frequency control equipment.

The National Association of Broadcasters
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REORGANIZATION PLANS INDEFINITE

Although many reports are current with respect to the plan to reorganize government bureaus and commissions, no official announcement from the White House has been forthcoming. It is generally known, however, that the proposal developed under the direction of Secretary of Commerce Roper is now at the White House, but it is doubtful if the President has had an opportunity to give detailed study to the proposal.

In the meantime, however, the Director of the Budget has recommended to the House Appropriations Committee that appropriations for the Commission during the fiscal year commencing June 30, 1933, be reduced from $780,427 to $640,000, or $140,427 less than the amount provided in the bill passed by the Congress last session and which was given a pocket veto by President Hoover. Judge Sykes appeared before the House Committee this week and testified in executive session with respect to the 1934 appropriations for the Commission.

SYKES TO HEAD U. S. DELEGATION

Judge Eugene O. Sykes, chairman of the Federal Radio Commission, will be chairman of the delegation which will represent the United States at the North American Radio Conference now tentatively scheduled to be held at Mexico City, Mexico. No definite date for the conference has been fixed.

Judge Sykes and Senator Wallace H. White of Maine were named by the State Department to represent this country at the conference last February but it was not known until Friday (21) that Judge Sykes would head the delegation.

Judge Sykes, one of the original members of the Commission, was chairman of the United States delegation which attended the International Radio Conference at Madrid last fall. With Senator White he has been active in the formulation of plans preliminary to the Mexico City conference. Meetings of the Committee preparing for the meeting are continuing, with subcommittees giving consideration to details of the work.

WGN APPEALS WBBM-KFAB DECISION

Station WGN this week filed an appeal in the Court of Appeals of the District of Columbia from the decision of the Commission authorizing Stations WBBM, Chicago, and KFAB, Lincoln, Nebr., to synchronize their operation. The appeal alleges that interference will be caused on a nearby frequency and points out that the application was granted in the face of an over-quota condition in the Fourth Zone.

On motion of the Commission, the Court of Appeals dismissed the appeal of Station WERE, Erie, Pa. (Docket No. 5881), which was taken from a decision of the Commission refusing renewal of license to the Erie station.

An application for stay of mandate was filed in the Court of Appeals by Station WNYC, New York, in the Station WMCA, New York, case. The reason assigned for the stay is that Station WNYC is contemplating appeal to the Supreme Court of the United States. Recently the Court of Appeals upheld the decision of the Commission denying the New York city station all of the time which it had requested.

KHQ HELD LIABLE FOR LIBELOUS MATTER

The Supreme Court of Washington has held Station KHQ, Spokane, Wash., jointly liable with the speaker for alleged defamatory statements uttered over the station.

The Supreme Court upheld a decision of the Spokane County Court awarding Sheriff G. G. Miles of Spokane County $1,000 in damages for defamatory words spoken over Station KHQ. Louis Wasner, owner of the station, Charles G. Lantry, announcer, and William H. Castner, advertiser, were held to be jointly liable. The statements in issue were contained in a broadcast prepared by Castner, newspaper publisher, relating to prohibition repeal. The statements, it is reported, attacked the sheriff for alleged resale of confiscated stills, while as a matter of fact he destroyed them, the decision said.

The decision of the Washington court follows in principle the decision of the Nebraska Supreme Court which is now on its way to the Supreme Court of the United States.

NEWS BROADCASTS BEFORE A. P. GROUP

The annual meeting of the Associated Press, which will be held in New York on April 24, will have before it the question of prohibiting broadcasts of its news. Announcement was made last week of the results of a poll of A. P. members conducted last month which revealed a feeling that broadcasting of A. P. bulletins should not be permitted.

WBAX DENIED ADDITIONAL FACILITIES

The Radio Commission has sustained Examiner E. W. Pratt in his Report No. 466 by denying the application of Station WBAX, Wilkes-Barre, Pa., to change its frequency from 1210 to 930 kilocycles, and to increase its power from 100 to 250 watts and to change its hours of operation from specified hours to unlimited time.

The Commission found that the present service of the station would not warrant the granting of the increased facilities asked for by the station and that although the proposed change in frequency and increase in power would enable the station to render a more extensive service, "there would result objectionable interference between WBAX and other stations operating on the same and adjacent frequencies both in the United States and Canada."

FLORIDA WOULD LEASE STATION WRUF

A bill introduced in the Florida Legislature, House No. 353, by Brown, provides that the State Board of Education be empowered to lease the radio station at the University of Florida, on such terms and conditions as may seem to be in the best interest of the State, reserving certain hours to be used for broadcasting purposes of the State, the money received from the lease to be paid monthly into the State treasury.

OKLAHOMA RADIOCASTING TAX

The Oklahoma General Sales Tax, which was passed by both houses and approved by the Governor, levies a sweeping two per cent tax excepting only a few items specifically set out. The tax is specifically levied upon "all sales of electricity . . . to domestic or industrial consumers thereof," and "upon all sales of service in radiocasting, whether in the transmission of messages or otherwise, or in the leasing, hiring, or renting of radiocasting equipment or facilities"; . . . "provided that when . . . electricity is sold for industrial purposes, the tax shall be one per centum . . ." The law is effective upon approval, and was approved on April 18, 1933.

REFUSING ADVERTISING

The Iowa Supreme Court this month in the case of Shuck vs. Carroll Daily Herald explicitly affirmed the doctrine that newspaper publishers have a right to publish whatever advertisements they desire and to refuse to publish whatever advertisements they do not desire to publish. The plaintiff asked the equity court to compel the newspaper to accept and publish his advertisement after it had been refused without reason even though he had tendered the usual charge for like advertising. His petition was dismissed.

INVESTIGATING UNLICENSED TEXAS STATIONS

The Radio Commission and the Department of Justice are looking into current reports that some thirty low-powered radio broadcasting stations are operating in the State of Texas without licenses. The stations, which are said to be causing interference, are using 10 and 15 watts, it is reported here.

RADIO EMPLOYMENT FIGURES

The March employment index number for the radio industry was 61, compared with 61.9 for February and 64.1 for March of last year, taking 1926 at 100, according to the Bureau of Labor statistics, Department of Labor. March payroll index number for the industry was 42 compared with 45.5 for February and 51.1 for March of last year.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

An application for CP for new television station, filed by WBEN, Inc., Buffalo, N. Y., will be heard on Tuesday, April 25, 1933, at 10 a. m.

The application of James P. Hart, James P. Hart, Jr., and Donald W. Parsons, d/b as Gateway Broadcasting Co., Roanoke, Va., for CP for new station to use **1410 kc.**, 250 watts, sharing with WHIS (facilities now assigned to WRBX), and the application of WRBX, Richmond Development Corporation, Roanoke, Va., for renewal of license, will be heard Wednesday, April 26, 1933, at 10 a. m.

Oral arguments in re KTAR Broadcasting Company's application (Examiner's Report 456) will be heard May 31, 1933, by the whole Commission.

Oral argument in re application of Robert M. Riculfi, Tucson, Ariz., KVOA (Examiner's Report 464), will be heard May 31, 1933, by the whole Commission.

APPLICATIONS SET FOR HEARING

KGHI—Lloyd Judd Co., Little Rock, Ark.—CP to make changes in equipment, change frequency from **1200 kc.**, to **570 kc.**, and increase power from 100 to 500 watts.

WGN—WGN, Inc., Chicago, Ill.—CP to make changes in equipment and to increase power to 50 KW.

NEW—Philip J. Wiseman, Lewiston, Me.—CP for new station to operate on **640 kc.**, 500 watts, limited time.

NEW—William L. Slade, Hamilton, Ohio—CP for new station, **1420 kc.**, 100 watts, unlimited time (facilities of WHBD).

WCAL—St. Olaf College, Northfield, Minn.—CP to change equipment and increase day power from 1 KW to 2½ KW.

APPLICATIONS GRANTED

First Zone

WINS—American Radio News Corp., New York, N. Y.—CP to move transmitter from Astoria, L. I., to Carlstadt, N. J.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to use auxiliary transmitter for period of one week while overhauling main transmitter.

WMSG—Madison Square Garden Broadcast Corp., New York, N. Y.—Granted special temporary authority to use and operate temporarily the radio transmitting apparatus of Station WCDA for period May 1 to Nov. 1, 1933.

WBNX—Standard Cahill Co., Inc., New York, N. Y.—Granted special temporary authority to use and operate temporarily the radio transmitting apparatus of Station WCDA for period May 1 to Nov. 1, 1933.

Second Zone

WNBW—WNBW, Inc., Scranton, Pa.—Granted extension of authority to remain silent from April 16 to June 1, pending action on pending application.

WFDF—Frank D. Fallain, Flint, Mich.—Granted consent to voluntary assignment of license to Flint Broadcasting Company.

Third Zone

WQBG—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate unlimited time on frequency of **1360 kc.**, with 500 watts, on experimental basis from May 1 to Nov. 1, 1933.

WQAM—Miami Broadcasting Co., Miami, Fla.—Granted special temporary authority to reduce hours of operation.

WENC—Americus Broadcast Co., Americus, Ga.—Granted 60-day authority to operate unlimited time during silence period of Station WAMC.

WAMC—Raymond C. Hammett, Anniston, Ala.—Granted special temporary authority to remain silent for period of 60 days.

Fourth Zone

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to midnight, CST, April 28, 1933.

WOQ—Unity School of Christianity, St. Louis, Mo.—Granted oral argument before the Commission en banc for May 3, 1933. Station given until April 26, 1933, within which to reply to the exception filed by Station KFH.

Fifth Zone

KICA—The Southwest Broadcasting Co., Clovis, N. Mex.—Granted CP to move station locally in Clovis; also granted authority to cease broadcasting until new transmitter can be built at new location.

KFQD—Anchorage Radio Club, Anchorage, Alaska—Granted renewal of license for regular period, **1230 kc.**, 250 watts, hours daily from 6 p. m. to midnight, LST.

APPLICATIONS RECEIVED

First Zone

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to increase power from 50 watts to 100 watts.

WMAL—National Broadcasting Co., Washington, D. C.—License to cover CP for auxiliary transmitter.

Second Zone

WSEN—Columbus Broadcasting Corporation, Columbus, Ohio—CP to move transmitter locally.

Third Zone

WAMC—Raymond C. Hammett, Anniston, Ala.—CP to install new equipment at new location, and to move studio locally.

Fourth Zone

WJKS—Johnson Kennedy Radio Corp., Gary, Ind.—CP to move transmitter from Gary to Hammond, Ind.

WCAL—St. Olaf College, Northfield, Minn.—Modification of license to increase specified hours of operation (facilities of KFMX, Northfield, Minn.

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Modification of CP to move station from Joliet to East Dubuque, Ill., change frequency from **1310 kc.** to **1500 kc.**, and change from sharing with WCLS to specified hours, to extend commencement and completion dates to 6-21-33 and 11-21-33 respectively.

Fifth Zone

KOA—National Broadcasting Co., Denver, Colo.—Modification of CP for 50 KW station to extend date of completion to 11-17-33.

APPLICATIONS RETURNED

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—CP to change transmitter location locally, using KFI's auxiliary transmitter with changes, and increase day power from 1 KW to 2½ KW (Rule 6a, c, and d, and Rule 49).

NEW—Herbert H. Fette and Ewald Fette, d/b as Fette Bros., Meriden, Minn.—CP for new station, **1210 kc.**, 75 watts, specified hours (Rule 6a, c, and d, frequency monitor, antenna system, and transmitter location).

MISCELLANEOUS COMMISSION ACTION

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted continuance of hearing to May 16 on applications from Maine and Vermont for use of **1340 kc.** channel.

———Don Lee Broadcasting System, Los Angeles, Calif.—Denied "Motion to Vacate and Rescind Order to Take Depositions." in re application of James McClatchy Co., Station KFBK, set for hearing.

NEW—C. C. Crawford, Haynesville, La.—Application for facilities of KWEA, heretofore set for hearing, withdrawn from docket and returned to applicant.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted special temporary authority to continue test period from 12 midnight, April 19, to 6 a. m., April 26.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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NAB AWAITING ASCAP BOARD MOVE

Plans for litigation looking toward a dissolution of the American Society of Composers, Authors and Publishers have been momentarily suspended by a request from E. C. Mills, general manager of the American Society of Composers, Authors and Publishers, for a conference with Hon. Newton D. Baker, general counsel for the National Association of Broadcasters in copyright matters. The Board of Directors of the Society met Thursday to pass on the questions raised by Mr. Mills' request and on the NAB proposal for the adoption of a "per piece" plan for the payment of royalties, coupled with an immediate revision of the existing contracts by eliminating the sustaining fee and the percentage on gross revenue and the substitution therefor of a percentage of the receipts on programs using ASCAP music.

NEWS BROADCASTS ARE RESTRICTED

Rigid policies governing the broadcasting of news bulletins and the publication of radio programs were adopted during the week at the annual meetings of the Associated Press and the American Newspaper Publishers Association held at New York.

A resolution adopted by the Associated Press membership and regulations promulgated by the Board of Directors thereunder virtually prohibit the broadcasting of news bulletins collected by that organization. It is believed that both the United Press and the International News Service will follow the policies laid down by the Associated Press.

The action governing the publication of radio programs in daily newspapers was taken by the membership of the ANPA at its April 25th meeting.

The resolution, sponsored by James G. Stahlman, publisher of the Nashville, Tenn., *Banner* and president of the Southern Newspaper Publishers Association, and adopted by the Associated Press, is as follows:

"Be it resolved, That it is the sense of this meeting that the Board of Directors shall not allow any news distributed by The Associated Press, regardless of source, to be given to any radio chain or chains; and be it further

"Resolved, That no member newspaper of The Associated Press shall be allowed to broadcast its local news or news furnished by The Associated Press, other than brief bulletins covering events of major local, national or international importance with credit to The Associated Press and the member newspaper, and then only over an individual radio station located at or near the place of publication of the member paper broadcasting; and be it further

"Resolved, That it is the sense of the meeting that the Board of Directors shall promulgate at once rules and regulations covering the hours of such news bulletin broadcasts so as to distinguish between morning and evening members, fix a schedule of additional assessments to be applicable solely to those member papers which broadcast Associated Press news, the revenue from which shall be applied to a pro rata reduction of assessments paid by non-broadcasting members; take all steps necessary to protect the news report of The Associated Press from pilfering or such other illegal use by radio news commentators or others; and define the meaning of 'brief bulletins' in conformity with the text and spirit of this resolution; and be it further

"Resolved, That all resolutions, heretofore adopted by the membership in conflict with this resolution, be and the same are hereby rescinded and declared null and void."

The following day the Board of Directors of the Associated Press announced the following regulations to carry out the resolution:

"Recognizing that any action at this time must be tentative, the Board prescribes the following regulations:

"Resolved that Associated Press news of major local, national and international importance may be broadcast only by a member over a broadcasting station located at the place of publication in a brief bulletin form of not more than 30 words each, and one bulletin only on any one subject. Sports events need not be subjected to the 30-word or one-subject limitations. Such bulletins shall be broadcast only within the hours of publication of the member, with full credit to the Associated Press and the member newspaper broadcasting.

"Such broadcast of bulletins shall in no way be connected with commercial programs; that extraordinary service material, which is not subject to limited hours of publication, is excepted, but such matters shall be subject to the 30-word limitation. And be it further resolved that all resolutions heretofore adopted by the Board concerning broadcasting inconsistent with this resolution, be rescinded.

"That concerning the recommendation of the membership that added assessments be imposed upon members broadcasting, this question involving many complications, is deferred for future study.

"In pursuance of its policy to protect the news reports of the Associated Press, the suit now pending in the Federal court to prevent the unauthorized use by radio of such news reports will be vigorously prosecuted."

The resolution governing the publication of radio programs was contained in the report of the Association's radio committee and submitted by E. H. Harris, publisher of the *Palladium-Item,* Richmond, Ind., and chairman of the committee. The resolution is as follows:

"Therefore be it resolved that it is the sense of this association that in the future newspapers should not publish such programs free of charge and should publish them, when offered, only as advertising matter, to be paid for as other advertising is paid for."

While it was said by an official of the association that the resolution is not binding upon members of the association, it was pointed out that since the passage of a similar resolution last year numerous papers have banned free radio programs.

FOOD AND DRUGS ACT REVISION

Representatives of broadcasters, publishers, and other advertising media attended the conference called by Assistant Secretary of Agriculture Tugwell Saturday (April 29) to discuss proposed revision of the Federal Food and Drugs Act. The Department is seeking the help of manufacturers, agencies and media in the draft of a revision of the food and drugs act which will prevent false and misleading advertising of food and drug products. Following the series of conferences now in progress it is expected the Department will send to Congress a bill amending the present law wherein the Department feels the law is deficient. The National Association of Broadcasters, the National Broadcasting Company and the Columbia Broadcasting System were represented at the conference.

COMMISSION ALLOCATES ACTIVITIES

The Radio Commission this week reallocated the activities of the various members of the Commission inasmuch as there is now a full membership of the Commission for the first time since General Saltzman resigned last July.

Under the plan adopted, Judge Sykes, the chairman will have charge of administrative matters. Colonel Brown, Commissioner from the Second Zone, was made vice chairman of the Commission and will continue in charge of field operations.

Commissioner Hanley, the new member, will have charge of the Legal Division, while Commissioner Lafount will have charge of the Examiners' Division and the Press Service. Commissioner Starbuck will continue in charge of the Engineering Division.

The Commission announced also this week that George B. Porter, who has been Assistant General Counsel of the Commission since November 1, 1931, will be the Acting General Counsel in place of Duke M. Patrick, who recently resigned to take up private law practice.

In the organization plan Chief Examiner Yost and Examiners Pratt and Hyde, all Republicans, are to be replaced, although successors have not yet been announced. There is a likelihood that the post of chief examiner will not be filled due to the fact that appropriations for the next fiscal year have been materially reduced and it is possible also that at least three field offices will be closed for the same reason. Reduced appropriations may result in other dismissals from the Commission.

STAY ORDER IN WMMB-KFAB CASE

The Court of Appeals of the District of Columbia on Friday granted the petition of Station WGN, Chicago, Ill., for a stay order against the decision of the Federal Radio Commission authorizing Station WBBM, Chicago, and Station KFAB, Lincoln, Nebr., to synchronize their operation. Station WGN has filed an appeal in the Court alleging that the synchronization of the two stations would cause interference.

MISSOURI TAX BILL KILLED

Adjournment of the Missouri Legislature on April 26, 1933, marked the death of H. 616, which had passed the House but died in the Senate. The bill would have imposed a tax of one per cent on advertising, except newspapers.

BEER ADVERTISING PERMITTED IN N. C.

Several states have started the machinery to permit advertising of beers and wines, which is now prohibited by statutes that were on the books prior to enactment of the Federal 3.2 beer act. In North Carolina the measure (S. 492) became law on April 6, 1933. In addition to states previously reported, Texas with S. 523 and Michigan with S. 101 are the most recent states to take under consideration repeal measures of this kind.

ILLINOIS GROSS RECEIPTS TAX

Two bills have been introduced in the Illinois Legislature to supplement the three per cent sales tax in the matter of revenue raising. H. 789 provides a three per cent tax on the gross receipts of corporations, and H. 725 would impose upon all natural persons engaged in any profession, trade or occupation a tax of one and one-half per cent on gross receipts over three hundred dollars. Included in a list of businesses covered by the tax are "radio announcers, radio engineers and radio repairmen."

RECOMMENDS MORE TIME FOR WHBC

Station WNBO, Silver Haven, Pa., asked to change its time from specified hours to unlimited; WCAE, Pittsburgh, asked to move locally; and WHBC, Canton, Ohio, asked to increase its power from 10 to 100 watts. Report No. 471 (Hyde, e.). Recommended denying application of WNBO for unlimited time, granting WCAE permission to move transmitter locally, and granting of power increase to WHBC.

The Examiner found that the operation of WNBO on full time would be likely to cause serious interference with Stations WHBC and WNBO. He found that the moving of the transmitter of WCAE would be a constructive step and that "the new location offers advantages that should result in a more uniform field intensity over the natural service area of the station."

In the case of Station WHBC, Examiner Hyde found that the service of that station would be materially improved by the use of 100 watts instead of 10 watts as at present. Another important consideration, says the Examiner, "favoring the granting of the application is the fact that this 10-watt station is the only station in an important industrial community having a population over 100,000 and a trade area of still greater population."

HOUSE RADIO SUBCOMMITTEE NAMED

Representative Bland, Virginia, chairman of the House Committee on Merchant Marine, Radio and Fisheries, has announced the appointment of the following subcommittee on radio for the duration of the present Congress: Representative Briggs, Texas, chairman; Ramspeck, Georgia; Crosby, Iowa; Willford, Iowa; Brown, Kentucky; Lehlback, New Jersey; Edmonds, Pennsylvania; and Mr. McCandless, Delegate from Hawaii.

HEARING ON POLICE RADIO BILLS

Hearings were held on Thursday and Friday of this week before the House Committee on Merchant Marine, Radio and Fisheries on two police radio bills introduced by Representative Ludlow of Indiana.

One of these bills prohibits the installation of short wave sets in automobiles, while the other provides for the obtaining of a license for the installation of any set in an automobile. No very vigorous opposition was made to the bills. The Radio Commission objected to the wording of one of the bills. Those appearing included police officials and representatives of the aviation industry.

RECOMMENDS EXTENDING WAPI PERMIT

Application by Station WAPI, Birmingham, Ala., for the extension of time for the commencement and completion of its construction permit to increase its power from 5,000 to 25,000 watts (Report No. 473, Yost, e.). Recommended that permit be modified to begin construction work by June 17, 1933, and complete it December 17, 1933.

The Examiner found that the station is financially able to make the construction but that it was justified in delaying the work because of economic conditions.

The present owners, the Examiner found, were not entirely to blame for the delay, and he found that "preliminary steps have been taken to comply with the terms of the existing construction permit."

FAVORS RENEWAL WBSH LICENSE

Renewal application by Station WBSH, Huntsville, Ala., and application by Hutchens Company for voluntary assignment of the station license to WBHS, Inc. (Report No. 472, Pratt, e.). Recommends that applications be granted.

The Examiner states that although there have been some irregularities in the past operation of the station, "these appear to have been remedied and said station, now off the air pending decision in this case, is under complete control and management of radio Station WBHS, Inc." He suggests that the license be renewed and the voluntary assignment be allowed.

GRANTS MORE TIME TO WMBH

The Radio Commission on Friday reversed Examiner Pratt in his Report No. 462 in which he recommended that the application for additional time for Station WMBH, Joplin, Mo., be denied. The Commission granted some additional time but not all that the station asked for.

The Commission found that the station is rendering a well-designed local service and "through the use of additional hours would be enabled to extend and improve such service." It was also found that there is substantial need for the additional time and "the public benefit which would result from the operation of Station WMBH until 9:30 p. m. fully warrants a limited extension of the time during which slight interference is experienced."

DUAL TRANSMITTER OPERATION DENIED

The application of Station WEBR, Buffalo, N. Y., for authority to operate two transmitters alternatively was refused by the Radio Commission, sustaining Examiner Hyde in his Report No. 465.

The Commission states in its opinion that the operation of the station's main and auxiliary transmitters as proposed would not comply with Rule 149 of the Commission's regulations and it further found that "the granting of the application would not serve public interest."

AUDITORY PERSPECTIVE DEMONSTRATED

The Bell Telephone Laboratories, in cooperation with Leopold Stokowski and the Philadelphia Symphony Orchestra, demonstrated new developments in program transmission over wire lines before the National Academy of Sciences, Washington, D. C., April 27.

The orchestra played at the Academy of Music in Philadelphia, and the music was reproduced before a large audience in Washington. The illusion of auditory perspective was obtained by using two microphones, each connected to an individual wire line and loud speaker. Special high-quality circuits were used throughout, and 23 wire circuits, including spares for emergency use, were required between Washington and Philadelphia. The system used was said to reproduce faithfully all frequencies between 35 and 16000 cycles, with a volume range of 80 decibels (power range of 100,000,000 to 1). The fidelity of reproduction achieved was far in advance of anything before attempted for sound picture or radio reproduction, and the stereoscopic effect, or auditory perspective, added considerably to the success of the demonstration.

No statement has been forthcoming as to the possible commercial application of the principles and apparatus used in the demonstration. The application to broadcasting is, of course, difficult under present conditions inasmuch as two complete transmitters and receivers would be required for the auditory perspective effect.

SECURITIES ACT IS REPORTED

The Senate Committee on Banking and Currency on April 27 reported favorably to the Senate the Securities Bill (S. 875, Report No. 47), which provides, among other things, certain regulation respecting the advertising by radio of securities.

Section 8 of the bill as reported to the Senate prescribes the rules governing the advertising of securities as follows:

"It shall be unlawful to carry, transmit, or cause to be carried or transmitted, in interstate commerce, by use of the United States mails or by any means or instruments of transportation or communication, any written, printed, or other graphic communication or document, or any radio communication, announcing, offering, or advertising for sale any securities subject to the provisions of this Act, unless such communication or document contains the following information concerning the security so offered:

"(a) The name of the issuer and names of the underwriting syndicate, if any, amount of capitalization authorized and paid up, location of principal place of business, and, if incorporated, place of incorporation.

"(b) A brief description of the security offered, including the amount of the issue, a description of its rights with reference to dividends or fixed returns and voting power and relative position with reference to other outstanding securities having prior rights which must be specified as well as the amount of capital stock and other securities, commissions, discounts, rebates, and bonuses.

"(c) The price at which it is offered to the public and the net amount to be returned to capital investment, as well as the maximum amount of commission or other form of remuneration to be paid in cash or otherwise, directly or indirectly, for or in connection with the sale or offering for sale of such securities.

"(d) The owner of the property constituting the basis of the issue.

"(e) A statement showing—

(1) The issuer's assets and liabilities.

(2) Profits and losses during year immediately preceding the offering.

"(f) A statement to the effect that additional information may be secured from the Federal Trade Commission at Washington, District of Columbia: Provided, that in any case where, by reason of limited size of such written, printed, or other graphic or radio communications, it is impracticable to set forth all the foregoing information, there shall be set forth such parts thereof or such other information as the Commission may by rules or regulations prescribe in the interest of the protection of the public and for the prevention of false or deceptive representations in the offer for sale or sale of such securities in interstate commerce or by use of the mails: Provided further, that any written, printed, or other graphic communication or document, or any radio communication, announcing, offering, or advertising for sale any securities offered by a foreign government or political subdivision thereof shall contain such information of the character referred to in the registration statement, or such additional information, as the Commission may prescribe by rules or regulations in the interest of the protection of the public and for the prevention of false or deceptive representations in the offer for sale or sale of such securities in interstate commerce or by use of the mails.

"The information referred to in this section, when written, printed, or otherwise graphically expressed, shall be placed in a conspicuous part of all communications, documents, or other literature describing or mentioning the securities advertised or offered for sale. Copies of all such written or printed or other graphic communications or documents, as well as transcripts of all radio advertising, referring to the sale of securities subject to the provisions of this section shall, before distribution of such communications to prospective purchasers is begun, be filed with the Commission together with a reference to the original registration of the securities so offered.

"A statement containing the information required by this section shall also be delivered to each purchaser with the delivery of the security or securities to which it relates, whenever the security is sold by the issuer, or by his or its agents or representatives.

"The information required under the provisions of this Act contained in all registration or other statements, copies, prospectuses, advertisements, circular letters, and communications, and other documents shall be made available to the public under such regulations as the Commission may prescribe."

POST OFFICE FAN MAIL RULING

Extending its previous holding, the Post Office Department has ruled that fan mail under certain conditions may be forwarded to the advertiser outside the mails and without the payment of first-class postage.

The following questions were submitted by the attorneys for Station WGN, Chicago, Ill., to the Post Office Department for answer:

"1. Suppose WGN delivered mail to the Chicago office of the advertising agency handling the advertiser's account, could the agency after opening and tabulating the letters forward them to the advertiser by express? Would it make any difference in this situation if the letters were unopened prior to being forwarded to the advertiser?

"2. In some cases the advertising agency handling the advertiser's account has an employee stationed in the main office of the advertiser. Suppose WGN delivered the mail unopened to the advertising agency in Chicago and the advertising agency expressed such mail to its employee in the advertiser's main office who, upon receipt thereof would turn it over to the advertiser unopened. This is a bona fide arrangement between advertiser and agency now prevailing on numerous accounts. It would seem that under these conditions a package of mail sent by express does not have the character of 'letters' within the purview of the private express statutes.

"3. Suppose that the advertiser had a branch office of its own in Chicago, could such a branch office forward mail delivered to it by WGN to the advertiser's main office by express?

"4. Suppose WGN used the branch offices of the Chicago *Tribune* as forwarding headquarters, could the mail be sent by express to such offices and then turned over to the advertiser or advertising agency? This situation appears to be analogous to that involved in the Department's prior rulings on the subject."

The answers made by the Post Office Department, under date of March 16, were as follows:

"With regard to Mr. Scharfeld's first query, viz., whether the fact that the previous rulings of the Department relating to fan mail were rendered in response to requests of chain stations would have any bearing upon the matter or whether such rulings would apply with equal force in the case of independent or non-chain stations, the answer is that no distinction is made between the two classes of stations. The issue in all such cases is the same: whether the matter proposed to be forwarded outside the mails falls within the category of 'letters' within the meaning of the private express statutes.

"Responding to Mr. Scharfeld's specific inquiries, his first question is whether WGN might deliver mail to the Chicago office of the advertising agency handling advertisers' accounts which would open and tabulate the letters and forward them to the advertiser by express. This plan would be objectionable. The second part of the first inquiry is whether it would alter the situation if the letters were unopened prior to being forwarded to the advertiser. The answer is yes. If the letters are not to be opened prior to the time they reach the advertiser, they may be sent by express or by fourth class or parcel post rates.

"The second, third and fourth inquiries all involve similar methods of procedure. It does not matter whether the fan mail is handled by an advertising agency, a branch office of the advertiser, or a branch office of the broadcasting station or the newspaper which owns same. If the fan mail is to be opened by some person before it reaches the advertiser, it may not be sent outside the mails to such person without payment of postage. If, on the other hand, it is handled one time or several times before it reaches its ultimate destination, viz., the office of the sponsor of the program, but is not opened by anyone before it reaches such sponsor, it may be sent otherwise than by 'letter' without violation of the private express statutes."

COMMISSION POSTPONES 1430 KC. HEARING

The hearing previously scheduled for May 15, 1933, involving the applications of WHEC, Rochester, N. Y.; WOKO, Albany, N. Y.; WHP, Harrisburg, Pa.; WCAH, Columbus, Ohio; and WFEA, Manchester, N. H., for licenses authorizing continued use of **1430 kc.** channel with full time has been postponed indefinitely.

Special temporary experimental authorization to operate unlimited time and simultaneously was granted to these stations, pending a decision on the hearing but not continuing later than November 1, 1933.

WJSV SPECIAL AUTHORITY CONTINUED

WJSV, Washington outlet of the Columbia Broadcasting System, was granted special experimental authority to operate for a period of 90 days from May 1, at its present transmitter location on the Mount Vernon Highway.

WJSV has installed a directional antenna system to minimize interference claimed to exist at the Naval Research Laboratory, without disturbing its Washington coverage.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

NEW—WBEN, Inc., Buffalo, N. Y.—Application for CP for new visual broadcasting station to use 20 watts, unlimited time, on **43000-46000, 48500-50300,** and **60000-80000 kc.** will be heard Tuesday, May 2, at 10 a. m.

W1XAL—Shortwave Broadcasting Corp., Boston, Mass.—Application for license for 5 KW relay broadcasting station to use **6040, 11790, 15250,** and **21460 kc.** will be heard Friday, May 5, at 10 a. m.

NEW—William Avera Wynne, Greenville, N. C.—Application for CP for new station to use 100 watts on **1420 kc.,** daytime, will be heard Friday, May 5, at 10 a. m.

KFH—Radio Station KFH Company, Wichita, Kan.—Application for modification of license to authorize use of 1 KW on **1300 kc.,** unlimited time (instead of sharing with WOQ), will be heard before the Commission, sitting en banc, Wednesday, May 3, 1933, at 10 a. m.

APPLICATIONS GRANTED

First Zone

WBAL—Consolidated Gas and Electric Light & Power Co., Baltimore, Md.—Granted extension of synchronous operation with WJZ to 5:30 p. m. April 29. (Synchronous operation normally terminates at 4 p. m. Saturday.)

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Granted modification of license to use former main transmitter as auxiliary.

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Granted temporary renewal of license, subject to such action as the Commission may take on pending application for renewal, and designated application for hearing.

Second Zone

WSEN—The Columbus Broadcasting Corp., Columbus, Ohio—Granted construction permit to move transmitter locally.

Third Zone

KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Granted modification of license to reduce day power from 2½ KW to 1 KW and to increase time to unlimited. (Facilities of KFUL.)

KFUL—The News Publishing Co., Inc., Galveston, Tex.—Granted consent to voluntary assignment of license to Southwest Broadcasting Co.

KUOA—Southwestern Hotel Company, Fayetteville, Ark.—Granted consent to voluntary assignment of license to KUOA, Inc.

KUOA—KUOA, Inc., Fayetteville, Ark.—Granted modification of license to change frequency from **1390 kc.** to **1260 kc.** and increase hours of operation from specified to unlimited, daytime. Also granted construction permit to install new equipment and move transmitter locally.

KLRA—Arkansas Broadcasting Company, Little Rock, Ark.—Granted special temporary authority to use auxiliary tube in last radio stage in conjunction with interlocking switch, for period May 1 to November 1, said auxiliary tube and licensed output tube not to be used at same time.

Fourth Zone

KFNF—Henry Field Company, Shenandoah, Iowa—Granted extention of special authority from May 1 to June 1, 1933, to use time assigned to but not used by KUSD and WILL.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authorization to operate from 4 to 6 p. m., CST, May 3, 5, 15 and 19. 1933, and from 10 p. m. to midnight, CST, May 12. (Station now assigned specified hours and does not share time with any other station.)

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted license covering installation new equipment, **1180 kc.,** 1 KW, limited time.

KLPM—John B. Cooley, Minot, N. Dak.—Granted renewal of license, **1240 kc.,** 250 watts, specified hours.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted renewal of license for the regular period, provided station is to be operated on an experimental basis, and that licensee will reduce its power to 10 KW day and night at any time without a hearing, upon 10 days' notice.

Fifth Zone

KOA—National Broadcasting Company, Inc., Denver, Colo.—Granted modification of construction permit to extend completion date of CP from May 17 to November 17, 1933.

KREG—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted authority to install automatic frequency control.

APPLICATIONS SET FOR HEARING

NEW—Radio Investment Co., Inc., Newark, N. J.—CP for facilities of WBMS, **1450 kc.,** 250 watts; shares ¼ time with WHOM.

NEW—Raymond M. Brannon, Fremont, Nebr.—CP for new station, **1500 kc.,** 100 watts, daytime; facilities of KFOR.

WABI—1st Universalist Society of Bangor, Me.—Modification of license to increase hours of operation from specified to unlimited time.

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW. (Shares with WLIT.)

WLIT—Lit Bros. Broadcasting System, Inc., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW. (Shares with WFI.)

APPLICATIONS RECEIVED

First Zone

None.

Second Zone

WJSV—Old Dominion Broadcasting Co., Alexandria, Va.—License to cover construction permit to move transmitter from Mt. Vernon Hills to Mt. Vernon Memorial Highway, Alexandria, Va., and install new transmitter.

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to increase power from 250 watts night, 500 watts day, to 500 watts day and night.

WJBU—Bucknell University, Lewisburg, Pa.—Construction permit to move station to Sunbury, Pa., amended to change transmitter site locally and change type of antenna.

WRAK—WRAK, Inc., Williamsport, Pa.—Modification of license to change hours of operation from sharing with WJEQ to unlimited time (facilities of WJEQ, Williamsport, Pa.).

Third Zone

KUOA—Southwestern Hotel Company, Fayetteville, Ark.—Construction permit to make changes in equipment and move transmitter locally amended to request transmitter location as "site to be determined subject to approval of Commission" (filed in name of KUOA, Inc.).

Fourth Zone

WMBH—W. M. Robertson, Joplin, Mo.—License to cover construction permit to install new transmitter.

WSBC—WSBC, Inc., Chicago, Ill.—Modification of license to change specified hours of operation.

WCRW—Clinton R. White, Chicago, Ill.—Modification of license to change specified hours of operation.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—License to cover construction permit to move transmitter locally.

Fifth Zone

KOL—Seattle Broadcasting Company, Inc., Seattle, Wash.—Modification of license to change frequency from **1270 kc.** to **850 kc.,** resubmitted without change.

NEW—Eastern Oregon Broadcasting Company, Inc., La Grande, Oreg.—Construction permit to erect a new station to use **1500 kc.,** 100 watts, unlimited time, facilities of KOAC, Corvallis, Oregon, in terms of quota units, amended as to transmitter location, equipment, and to increase daytime power to 250 watts.

APPLICATIONS RETURNED

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power to 500 watts experimentally. (Request of applicant.)

KGKB—East Texas Broadcasting Co., Tyler, Tex.—Construction permit to make changes in equipment and increase day power from 100 watts to 250 watts. (Request of applicant.)

NEW—William Ellis Phillips, San Diego, Calif.—Construction permit for a new station, **1420 kc.,** 100 watts, unlimited time. (Rule 6a, c, and d, Rule 151, equipment and transmitter location.)

APPLICATIONS DISMISSED

KQW—Pacific Agricultural Foundation, San Jose, Calif.—Construction permit, **1010 kc.,** 1 KW day, 1 KW night experimentally.

NEW—Hart and Parsons, d/b as Gateway Broadcasting Co., Roanoke, Va.—Construction permit, **1410 kc.,** 250 watts, share with WHIS.

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Modification of license, **780 kc.,** 500 watts, 1 KW until local sunset, unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 1 - - No. 9
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RADIO PROGRAM FOUNDATION ELECTS

Organization of the Radio Program Foundation was completed at a meeting of the trustees held on Wednesday (May 3) at New York.

Alfred J. McCosker, President of the NAB and Managing Director of WOR, Newark, N. J., was elected chairman of the Board of Trustees of the Foundation.

Oswald F. Schuette, Director of Copyright Activities of the NAB, was elected President of the Foundation.

Joseph C. Hostetler, law partner of Hon. Newton D. Baker, NAB copyright counsel, and a member of the law firm of Baker, Hostetler, Sidlo and Paterson, Cleveland, Ohio, was elected Secretary.

Philip G. Loucks, Managing Director of the NAB, was chosen as Treasurer.

The Board of Trustees, headed by Chairman McCosker, will control the policy of the newly formed Foundation, while active management will be in charge of President Schuette.

The Foundation was authorized by unanimous vote of the NAB membership at the St. Louis meeting and was incorporated under the terms of a resolution approved by the NAB Board of Directors at its February meeting. Immediately following the February Board meeting application for a charter of incorporation was filed in the State of Delaware and since that time organization plans have gone forward rapidly.

The Foundation is a non-profit organization controlled entirely by the broadcasting industry and its formation is considered the most important step yet taken in the solution of the industry's copyright problems.

The charter of the new organization provides sweeping powers for the cultural and scientific advancement of the radio industry, particularly in the field of program development. Through this organization the broadcasters will be enabled to cooperate in the creation of new program material and to acquire compositions and manuscripts particularly adapted for radio use.

Among other things, the certificate of incorporation enumerates the following purposes:

(a) To promote advancement in the means, methods and forms of sound and visual broadcasting, and to promote and sponsor the selection of meritorious program material, as a means of promoting the cultural arts and of extending the benefits thereof to the public.

(b) To these ends, to promote the exchange of information among its members.

(c) To encourage and assist scientific experimentation for the improvement of the operation and for the further development of the means of radio communication.

(d) To sponsor and acquire deserving productions of composers and authors, and to acquire copyrights therein, or rights or any interest thereunder, and to make application for, buy, sell, assign and license any such copyrights, or interest or rights therein or thereunder, either of the United States or any foreign country.

(e) To enter into agreements with authors and composers and to establish means and agencies for fixing, collecting, and accounting for license fees or royalties.

(f) To act as a clearing house or representative in agreements between authors, composers, and publishers and the users of their works.

(g) To provide a place and means for recording or filing manuscripts written or composed to be used in connection with radio broadcasting, to enable authors and composers to give definite proof of a date of filing.

(h) To encourage and promote the use of radio broadcasting for educational purposes.

(i) To own stock in, lend money to, or otherwise assist any corporation or corporations organized for the purpose of publishing, distributing or marketing musical compositions, books or other publications, and to finance or assist in the publication and distribution of any information relating to radio communication.

The charter provides that "all persons, firms, or corporations of the United States and other countries, owning or operating a duly licensed radio station are eligible to membership." Provision is also made for not more than ten additional "special members" to be selected by the Board of Trustees.

A series of conferences with copyright owners and representatives of copyright owners, all owning titles not included in the pool of the American Society of Composers, Authors and Publishers, were begun by President Schuette in New York immediately following the organization meeting. Within a comparatively short time the Foundation will be functioning under the full powers granted in the charter and with the complete cooperation of all NAB members.

President McCosker of the NAB has made it clear that other phases of the controversy growing out of the demands of the American Society will not be subordinated to the work of the Foundation and every detail of the mandate approved by the broadcasters at the St. Louis convention is to be carried out with the greatest possible speed. Almost weekly since the November convention President McCosker and other officials of the NAB charged with carrying into execution the expressed wishes of the broadcasters have been conferring on all phases of the copyright problem, developing a complete program looking to a permanent solution of the music difficulties which would free the industry from the domination of the American Society.

TUGWELL CONFERS WITH BROADCASTERS

Representatives of broadcasters and newspapers attended the conference at the Department of Agriculture last Saturday (April 29) called by Prof. Rexford G. Tugwell, Assistant Secretary of Agriculture, to discuss possible revision of the Federal Food and Drugs Act.

The NAB was represented by Philip G. Loucks, managing director; the National Broadcasting Company was represented by Frank M. Russell, vice president, and the Columbia Broadcasting System by Henry A. Bellows, vice president. Newspaper publishers, magazine publishers, and newspaper editors and members of Mr. Tugwell's staff also were present.

In stating the purpose of the conference, Mr. Tugwell said that the Department did not have in mind censorship of advertising in any form but was seeking information which would enable it to draft a bill which would protect the public against foods and drugs injurious to health.

Broadcasters and newspapers expressed sympathy with the purpose to be achieved through revision of the Food and Drugs Act, but both groups were definitely of the opinion that the media used to advertise injurious products should not be held equally liable with the manufacturer and seller. Both were of the opinion that sole responsibility should rest with the party who makes, ships, advertises and sells the harmful product, in the absence of any conspiracy. Much of the discussion revolved around the practical difficulties which would be encountered if the provisions of the act were to be extended to advertising media. It would be virtually impossible for the owner of a broadcasting station or a newspaper publisher to protect himself against any requirements which might be written into the law, it was pointed out. The suggestion that an advisory council be set up in the Department to aid stations and publishers to protect themselves also involves practical objections.

The conference with broadcasters and publishers followed a series of meetings between officials of the Department and manufacturers and immediately preceded a conference at which representatives of advertising agencies were present.

Representatives of the food trade met on April 28, and expressed general approval of suggestions for regulation by the Food and Drug Administration of false advertisements of foods and of other proposals to strengthen the act, according to statements by trade delegates after the meeting. Delegates of the drug trade, who presented their views April 27, agreed on certain suggestions for modifying the law, but were divided on other points.

In the field of drugs, suggestions were made that the labels on all drugs be required to bear the full formula of the contents of the receptacle.

Inclusion of provisions to prohibit the use of injurious ingredients in cosmetics was suggested. Another proposal was that all testimonials and opinions on the value of the drugs must be signed.

Opposition was expressed to proposals to license manufacturers of drugs, except in the case of producers of biologicals, arsenicals, and similar products.

Probably the outstanding suggestion with respect to drugs was one that the United States Pharmacopeia standards and the National Formulary be abandoned and that a government commission be set up to prescribe the drug standards.

A suggestion was made also that foods naturally containing harmful ingredients be prohibited, in addition to the present prohibition against foods in which harmful ingredients have been added.

Conferences in general opposed the writing of standards for food and drug products into the law. The sentiment for standards took the form of support for administrative standards, which would be more easily subject to change when revision appeared desirable.

President John Benson, of the American Association of Advertising Agencies, explained in detail the operations of the newly created board of advertising appeals.

It was stated that the Department has not yet completed its draft of a bill and it is likely that other conferences will be held before the measure is finally recommended to Congress. Hearings undoubtedly will be held when the bill comes before the Congress.

CONGRESS MAY ADJOURN NEXT MONTH

President Roosevelt is hopeful that Congress will complete its work on his emergency legislation and adjourn early in June. With railroad and tariff legislation and many other important legislative matters to be considered, some Congressional leaders, however, are doubtful if the special session can clean up its work within the next four weeks.

Nothing official has been forthcoming on the question of reorganization of government bureaus and commissions. It is understood that the proposals worked out by Secretary of Commerce Roper and his committee is awaiting the consideration of the President. While many rumors are current there has been no official information as to what, if anything, is to become of the Radio Commission under the Roper proposal. Likewise, there is nothing official as to whether or not the President will act on the proposals before the adjournment of the present special session of Congress.

MAY CHANGE ORAL HEARING POLICY

While no official announcement has been made, it is understood that the Radio Commission is about to adopt a new policy in connection with its action on reports of examiners.

Up to this time the Commission has been acting on reports of examiners without oral arguments except in unusual cases. As a result of recent decisions of the Court of Appeals of the District of Columbia and also of the attitude of members of Congress who are interested in radio, the Commission in the future will not act immediately on the reports of examiners, but in every case in which there is any reasonable doubt, the Commission will set the case for argument before the entire Commission. In cases of default or where there is no reasonable chance of dispute the Commission will act as it has in the past.

ASK FAN MAIL RULE NOTIFICATION

The Post Office Department was asked by the NAB on May 2 to circularize generally among postmasters its recent ruling relative to the forwarding of fan mail. The letter to the Department refers to the March 16 ruling of its Solicitor in which it was held that fan mail unopened could be forwarded in certain classes of cases. It has developed that postmasters generally are not familiar with this ruling and the NAB has requested that they be officially notified.

WILL PLAN NAB COMMERCIAL MEETING

Preliminary plans for the annual meeting of the NAB Commercial Section which will be held in connection with the Twenty-ninth Annual Convention of the Advertising Federation of America at Grand Rapids, Mich., June 25-28, will be discussed next week at a conference between H. K. Carpenter, chairman of the section, and Philip G. Loucks, Managing Director of the NAB. These plans will be submitted to the members of the NAB Commercial Committee for suggestions.

ENGINEERING SECTION MEETING PLANNED

Preparations are under way for a meeting of the NAB Engineering Section to be held at Chicago concurrently with the Institute of Radio Engineers convention on June 26, 27 and 28, 1933. Detailed announcement of the program will be made at a later date.

A. A. A. A. ANNUAL MEETING MAY 11-12

Radio advertising will be one of the principal subjects to be discussed at the Sixteenth Annual Meeting of the American Association of Advertising Agencies which will be held at Hotel Mayflower, Washington, D. C., May 11 and 12.

RADIO CHAIRMANSHIP VACANT

No successor has yet been appointed to Representative Briggs, Texas, who died suddenly last week. He had just been appointed chairman of the subcommittee on radio of the House Committee on Merchant Marine, Radio and Fisheries. It is likely that Representative Ramspeck, of Georgia, the next ranking member, will become chairman of the subcommittee.

HOUSE BILL CUTS RADIO APPROPRIATIONS

The House Committee on Appropriations this week reported the independent offices appropriation bill for 1934 to the House. It contains the appropriation for the Radio Commission for the coming year beginning July 1 next, and the amount is $640,000, a reduction of $140,427 from the amount contained in the same bill which passed the last session of Congress but was pocket vetoed by President Hoover. The bill provides $20,000 for printing, not to exceed $1,000 for traveling expenses, and not over $338,000 to be expended for personal services in the District of Columbia.

At the time the report was made, testimony given before the Appropriations Committee in executive session by Chairman Sykes was made public.

In connection with the reduced appropriation, Judge Sykes told the Committee that it would be impossible to fill any of the present vacancies in the Commission. "We have a vacancy in the office of the general counsel, an assistant general counsel, a junior lawyer, and a clerk in the legal division," Judge Sykes pointed out. He told of other deletions that will have to be made and expressed the belief that three field branches would have to be abolished. He stated also that the Commission will have to get along with two instead of three examiners in the future.

COMMISSION REFUSES GEORGIA STATION

The application of W. E. Bobbins and Maurice C. Coleman for a construction permit for a new broadcasting station at Atlanta, Ga., was denied by the Radio Commission on Friday and the license of Station WGST, Atlanta, was renewed, sustaining Examiner Pratt in his Report No. 469.

The report of the Commission states that the applicants, "although given an opportunity to do so, presented no evidence whatever in support of their application for construction permit. A motion was made by the Commission counsel, and joined in by counsel for WGST, that said application be denied as in cases of default."

Application for license renewal for Station WGST came to hearing only because of the application for the new station and inasmuch as the applicants defaulted the Commission decided that the license should be renewed. The applicants had asked for the facilities of WGST, namely, to operate on 890 kilocycles, 250 watts night and 500 watts local sunset.

FAVORS NEW ALABAMA STATION

Kathryn Jones asks construction permit for new station to be erected at Florence, Ala., to use 1420 kilocycles, 100 watts power, and daytime hours of operation. (Report No. 475, Pratt, e.). Recommended that application be granted.

The Examiner found that the applicant is financially and otherwise able to construct and maintain the proposed station, and that there is a need for additional daytime radio service in the Florence area.

He found also that the operation of the proposed new station would not create interference and that the State of Alabama is under quota.

KFWF ASKS FOR STAY ORDER

Broadcasting Station KFWF, St. Louis, Mo., has applied to the Court of Appeals of the District of Columbia for a stay order against a decision of the Radio Commission refusing to grant a license renewal. The station operates on a frequency of 1200 kilocycles.

COURT APPROVES KICK MOVE

In a decision rendered this week the Court of Appeals of the District of Columbia upheld the Radio Commission in the KICK case, Nos. 5783, 5784, and 5785.

The Radio Commission granted an application of Station KICK to move from Red Oak, Iowa, to Carter Lake, Iowa, without change in its operating assignment of 1420 kilocycles with 100 watts power.

After granting the application conditionally, Stations WOW, Omaha, Nebr.; KOIL, Council Bluffs, Iowa; and WAAW, Omaha, filed protests with the Commission asking hearing. Hearing was granted before the Chief Examiner of the Commission and he recommended that the Commission confirm its original order granting the move. The complaining stations thereafter asked for an oral argument before the Commission. This was not granted and the Court states that . . . "in such circumstances the failure of the Commission to hear oral argument was not an abuse of discretion."

FLORIDA LIQUOR ADVERTISING BILL

On April 28, 1933, after being amended, H. 306, the bill to amend the Florida laws to permit advertising of liquors defined as non-intoxicating under new law, was passed by the House. However, attempts to take it up in the Senate were defeated on May 1, 1933.

ACT ON MICHIGAN LIQUOR BILL

After tabling S. 101 on April 27, 1933, the Michigan Senate changed its mind and on May 1st passed the bill. It thereupon went to the House and was referred to the Committee on Liquor Traffic. This is the bill which would repeal the statute prohibiting advertising intoxicating liquor.

PENNSYLVANIA INSURANCE ADVERTISING

S. 538, a bill requiring presentation of a certificate of authority from the Insurance Department to accompany an advertisement offered for radio broadcasting by an insurance company, which has heretofore passed the Senate, reached the third reading in the House on May 1, 1933, after amendment.

UNLAWFUL DRUG ADS IN CALIFORNIA

The Boyle Assembly Bill No. 1321, which had been under consideration by the Committee on Medical and Dental Laws, was amended in the California Assembly on April 26, 1933, and now provides that "it shall be unlawful . . . by radio or any other broadcasting or loudspeaker means or device whatsoever, to make or disseminate any statement or assertion of fact concerning the entire or partial cure of any ailment, malady or disease by the internal or external application or use of any drugs or medicines, the relief of pain and suffering of any and all kinds, or the remedying of bodily ills thereby, which is untrue or mislead(ing) to the public. Each announcement . . . which violates . . . is punishable by a fine of not more than $1,000 or six months' imprisonment in the county jail, or both."

WISCONSIN MAY EXEMPT RADIOS

The Grimes Bill, Assembly No. 252, Wisconsin Legislature, which would add radios to the list of necessities exempt from taxation, was reported favorably by the Committee on Taxation on April 28, 1933. It had previously been reported unfavorably.

FLORIDA TO STUDY OPERATION COST

The State-owned broadcasting Station WRUF at Gainesville, Florida, seems to be troubling the legislature. The proposal to lease the station (H. 353) was reported out by the Committee on Radio without recommendation on May 1, 1933. On the same day Representative Hodges introduced S. R. 13 in the Senate to appoint a committee of five to study the cost of continuing the University Radio Station, and the resolution was adopted.

ONLY A FEW MORE LEFT

The Managing Director has about twenty binders for NAB Reports left on hand at $2 each which he would like to dispose of to members. These are strong, five-ring binders, appropriately marked, and large enough to hold issues of NAB Reports for two years. Those desiring to procure a binder will please write to the Managing Director, NAB Headquarters, National Press Building, Washington, D. C.

ROOSEVELT URGES COOPERATION

Speaking before the United States Chamber of Commerce on May 5, President Roosevelt pleaded for cooperation within industry as a means of bringing order out of chaos.

"During the past four years what previously had been considered to be an orderly industrial system has degenerated into one of the highest disorder," the President said. "You and I acknowledge the existence of unfair methods of competition, of cut-throat prices and of general chaos. You and I agree that this condition must be rectified and that order must be restored. The attainment of that objective depends upon your willingness to cooperate with one another to this end and also your willingness to cooperate with your Government."

The importance of trade associations in the present crisis was stressed by Secretary of Commerce Roper in a speech before the American Trade Association Executives on May 3.

Secretary Roper said:

"The trade association in America originated as a mechanism of self-defense, which business groups felt was necessary to enable them to present a united front against restraints placed upon all as a result of the sins of a few. It has outgrown the narrow limitations of such a function, and has gone forward to develop the aggressive, helpful, promotive activity which has characterized it since the World War. It stands today in a strategic position to render distinguished service to American business, through collective action, intelligently conceived and executed, and based upon full recognition of the desirability of long-time planning for the stability of entire industries. Also there has been an awakened realization of the obligation of business to help maintain the public welfare, and the activities of trade associations have shown them to be each year more and more prolific of public benefit. The annual competition for this award shows the unmistakable trend toward this consciousness of social responsibility.

"The past few years have seen trade associations suffer as business has suffered generally. The natural shrinkage of membership and finances was not a phenomenon peculiar to the trade association movement. Nevertheless, it is heartening to observe that they have come through the depression with no vital impairment of their strength, and, I believe, with a much clearer vision of their future.

"Times such as these demand an attitude of realism. If our old formulas do not meet the demands of today's emergency, we should have the courage to devise and try new formulas. In such an era of new methods and new ideas the trade association stands preeminent as the one type of organization by which business may advance itself while advancing the public interest."

RMA MEETS AT CHICAGO JUNE 6

Industry stabilization and promotion with definite and constructive projects submitted, will be developed at the Ninth Annual Convention of the Radio Manufacturers' Association to be held at Stevens Hotel, Chicago, Ill., June 6. On June 5 preceding the membership meeting there will be a final meeting of the present Board of Directors. On the evening of June 6 there will be held an informal dinner for RMA members and guests. Paul B. Klugh of Chicago has been appointed chairman of the committee on arrangements for the dinner.

RADIO EDUCATION'S FUTURE IS TOPIC

The future of educational broadcasting in the United States will be the general subject of the Third Annual Assembly of the National Advisory Council on Radio in Education to be held at the Waldorf-Astoria, New York, May 19. The report of Director Levering Tyson and reports of committees will be received during the morning session. The topics to be discussed during the meeting include: How can educational programs be financed; the present trend in the regulation of broadcasting; the land grant station; what we actually know about the listening audience; the air as an open forum; what does the listener think of broadcasting? programs for children; radio as a social force; group listening; engineering crisis in American broadcasting; the Madrid and the Mexico City conferences, the Canadian broadcasting system.

REMOVES BAN ON SERVICE BANDS

Thousands of listener protests led Secretary of the Navy Swanson this week to overrule the ban previously placed on the Navy and Marine bands by former Secretary of the Navy Adams and these government musical organizations will broadcast again in the near future. Former Secretary Adams prohibited broadcasting of the service band concerts upon protest of musician unions.

CANADIAN CRITICISES ADVERTISING

"The increasing tide of dissatisfaction aroused as a result of the lengths to which some advertisers go in their efforts to force sales threatens to seriously impair the efficiency of radio even as an advertising medium," E. A. Weir, director of programs for the Canadian Radio Broadcasting Commission told the Institute for Education by Radio which closed its sessions at Ohio State University, Columbus, Ohio, today (May 6).

"It is not merely a question of whether we shall have good programs or poor programs, whether we shall increase the turnover of our industries and add so many millions to our trade balance, but whether the inherent genius of the scattered population that we are trying to mould into one united people shall have opportunity to express itself," he said.

Radio instruction is still in its infancy, C. M. Koon, of the U. S. Office of Education, told the Institute Friday afternoon.

"The art of teaching," he said, "has been studied in this country ever since the first private normal school was established 110 years ago. After all the research and investigation that have been made, much remains to be learned about the subject.

"Years of scientific research and experimentation will be needed to solve the numerous educational and broadcasting problems involved in teaching by radio."

An "Audit Bureau of Circulation" for radio broadcasting was suggested by Herman S. Hettinger, instructor of merchandising at the Wharton School of Finance and Commerce, University of Pennsylvania, in his talk Thursday morning.

Such an audit agency, Hettinger said, could make field intensity measurements, conduct listener research, and determine the popularity of specific programs and stations.

He pointed out that the development of listener research has been comparatively recent, starting about 1928. "The comparative recency explains the wide disparity of methods and fundamental concepts which exist in that field. The remarkable thing is not the different methods which have been employed, but the degree to which the results attained by these methods are in agreement," Hettinger stated. "This agreement points to the fact that listener research is emerging from the experimental field and that the time has come for an evaluation and probably greater standardization of methods."

"Radio offers such a limitless and interesting field for extensive research that, measured against theoretical ideals, we have as yet only taken the first steps," John J. Karol, director of market research for the Columbia Broadcasting System, told the Institute Thursday morning.

Since the introduction of the radio, farm families no longer "go to bed with the chickens," Frank E. Mullen, National Broadcasting Company agriculture director, told the Institute Thursday afternoon.

According to Mullen, radio surveys show that rural set owners are staying up later at night than formerly. "It is commonly supposed that the farmer retires at 9 o'clock sharp, but we found that a goodly percentage of our farm friends used their radio sets as late as 11," he said. "A few grumbled at the necessity of staying up so late to hear some of their favorite programs, but the fact remains that radio has pushed the farmers' bedtime back at least a few nights a week."

HOME ECONOMICS BROADCAST SURVEY

The United States Office of Education is collaborating with the American Home Economics Association in making a survey of series of home economics broadcasts since September 1, 1932. The principal purpose of this study will be to make available present practices as a means of promoting mutually helpful relations between radio stations and home economics agencies, according to Miss Bess Goodykoontz, Assistant Commissioner of Education.

A summary of the survey will be presented at the annual meeting of the American Home Economics Association in Minneapolis in June and copies of the reports will be sent to all stations sending in material.

Members of the NAB are requested to assist the Office of Education in conducting the survey by sending in the information sought.

RMA AGAINST NEW YORK SHOW

Members of the Radio Manufacturers Association have been advised that their Board of Directors has carefully considered the proposed electrical and radio public show scheduled September 22-30 next at Madison Square Garden and has voted unanimously against sponsoring or supporting the Madison Square Garden show. RMA members individually, however, are left to their own decision in the matter.

FEDERAL RADIO COMMISSION ACTION
TENTATIVE HEARING CALENDAR

(The dates shown are tentative and subject to change.)

May 16, 1933

NEW—Charles W. Phelan, d/b as Casco Bay Broadcasting Co., Portland, Me.—Construction permit, 500 watts, unlimited time, **1340 kc.**

NEW—Portland, Maine, Publishing Co., Portland, Me.—Construction permit, 500 watts, unlimited time, **1340 kc.**

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit, 1 KW, specified hours, **1340 kc.**

WRDO—WRDO, Inc., Augusta, Me.—Construction permit to move transmitter and studio to Portland, Me., **1370 kc.**, 100 watts.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of construction permit to use **1340 kc.**, 500 watts.

May 18, 1933

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to increase day power from 50 watts to 100 watts.

May 23, 1933

WINS—American Radio News Corporation, New York, N. Y.—Modification of license to increase power from 500 watts to 1 KW, **1180 kc.**, limited time.

May 24, 1933, before Commission en banc

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit to use 50 KW, **710 kc.**

May 24, 1933

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Modification of license to change hours of operation.

WLB-WGMS—University of Minnesota, Minneapolis, Minn.—Modification of license to change hours of operation, and renewal of license.

WCAL—St. Olaf College, Northfield, Minn.—Construction permit, to increase daytime power, **1250 kc.**

May 25, 1933

NEW—Wilmington Broadcasting Co., R. A. Dunlea, Secretary, Wilmington, N. C.—Construction permit for 100-watt station, **1370 kc.**, sharing with WRAM .

WRAM—Wilmington Radio Association, Wilmington, N. C.—Renewal of license, 100 watts, **1370 kc.**, unlimited time.

May 26, 1933

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to change hours of operation.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license, and construction permit to move transmitter to East St. Louis.

May 29, 1933

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Construction permit to change frequency from **1310 kc.** to **1240 kc.** (sharing ½ time with WKAQ) and increase power from 100 watts to 250 watts.

May 31, 1933, before Commission en banc

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Modification of license to increase power from 500 watts to 1 KW, **620 kc.**

KVOA—Robert M. Riculfi, Tucson, Ariz.—Renewal of license and voluntary assignment of license; **1260 kc.**, 500 watts, specified hours.

May 31, 1933

WPRO-WPAW—Cherry and Webb Broadcasting Co., Providence, R. I.—Modification of license to change frequency from **1210 kc.** to **630 kc.** and increase power from 100 watts to 250 watts.

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to increase power from 500 watts to 1 KW, **1330 kc.**

June 1, 1933

WMBG—Havens & Martin, Richmond, Va.—Construction permit to increase day power from 100 watts to 250 watts, **1210 kc.**, and increase hours of operation.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license, **1210 kc.**, 100 watts, 250 watts until local sunset, unlimited time.

June 2, 1933

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase day power from 500 watts to 1 KW, **890 kc.**

WGN—WGN, Inc., Chicago, Ill.—Construction permit to increase power from 25 KW to 50 KW, **720 kc.**

June 5, 1933

WBMS—New Jersey Broadcasting Corp., Hackensack, N. J.—Involuntary assignment of license.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Modification of license to acquire unlimited time on **1450 kc.** (facilities of WBMS).

NEW—Radio Investment Co., Inc., Newark, N. J.—Construction permit, 250 watts, **1450 kc.**, share with WHOM (facilities of WBMS).

WBMS—WBMS Broadcasting Corp., Hackensack, N. J.—Renewal of license.

June 7, 1933

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit to change frequency from **900 kc.** to **890 kc.**, 250 watts, 500 watts until local sunset, unlimited time; also modification of license.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification of license to change frequency from **1340 kc.** to **890 kc.**, 1 KW, unlimited time.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.**, 500 watts, unlimited time.

June 12, 1933

The hearing involving applications of KECA, KFBK, and the Don-Lee Broadcasting System for facilities of KTM and KELW, and the applications of KTM and KELW for voluntary assignments of licenses and for renewals of licenses will be held June 12.

June 15, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time.

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal of license, **1420 kc.**, 100 watts, unlimited time.

June 16, 1933

KGEK—Elmer G. Beehler, t/a Beehler Electrical Equipment Co., Yuma, Colo.—Construction permit to move transmitter to Fort Collins, **1200 kc.**, 100 watts, specified hours.

June 19, 1933

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power to 1 KW experimentally, **610 kc.**

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

June 26, 1933

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Modification of license to increase day power to 1 KW, **580 kc.**

WRUF—University of Florida, Gainesville, Fla.—Renewal of license, **830 kc.**, 5 KW, limited time.

June 20, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 watts to 500 watts, **600 kc.**

APPLICATIONS GRANTED

First Zone

WMAL—National Broadcasting Co., Inc., Washington, D. C.—License for auxiliary transmitter, **630 kc.**, 250 watts night, 500 watts until local sunset.

Second Zone

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to change hours of operation.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted modification of license to change hours of operation.

Third Zone

None.

Fourth Zone

KSCJ—The Sioux City Journal, Sioux City, Iowa—Granted authority for test program 1 to 2 a. m. May 16.

WSBC—WSBC, Inc., Chicago, Ill.—Granted modification of license to change hours of operation.

WCRW—Clinton R. White, Chicago, Ill.—Granted modification of license to change hours of operation.

Fifth Zone

KGIR—KGIR, Inc., Butte, Mont.—Granted authority to operate test transmitter from May 3 to May 15 between 2 and 6 a. m. to locate new site; also granted construction permit to install new equipment and increase day power from 500 watts to 1 KW.

KRE—1st Congregational Church of Berkeley, Berkeley, Calif.—Granted special temporary authority to operate from 9:30 a. m. to 12 noon, PST, May 30.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—Granted license covering changes in equipment, **1230 kc.**, 250 watts night, 500 watts until local sunset.

MISCELLANEOUS COMMISSION ACTION

WMBO—WMBO, Inc., Auburn, N. Y.—Granted special temporary to extend program test period for period of 30 days.

WIS—The South Carolina Broadcasting Co., Columbia, S. C.—Denied special authority to operate with additional 500 watts experimentally. (Now licensed 500 watts night, 1 KW day, **1010 kc.**)

WBCM—James E. Davidson, Bay City, Mich.—Denied special authority to increase power experimentally to 1 KW, as applicant failed to enter appearance within time allowed.

NEW—Lee Elton Spencer, Greensburg, Pa.—Denied construction permit for **800 kc.**, 250 watts daytime, as applicant failed to enter appearance within time allowed.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted modification of special temporary authority to reduce hours of operation.

WBBM-WJBT and KFAB—For period beginning April 28, 1933, and pending decision of Court of Appeals on appeal by WGN from decision of Commission or further order of the court and the Commission, granting modification of license to synchronize during certain specified hours, license modifications were granted as follows: Simultaneous daytime operation; share time at night with KFAB using 3/7 time and WBBM-WJBT 4/7 time.

APPLICATIONS SET FOR HEARING

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to change hours of operation from daytime to unlimited.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Modification of license to increase operating power from 250 watts night, 500 watts until local sunset, to 500 watts experimentally.

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to increase night power from 250 watts to 500 watts.

APPLICATIONS RECEIVED

First Zone

WSAR—Doughty & Welch Electric Co., Fall River, Mass.—Construction permit to make equipment changes.

NEW—Juan Piza, San Juan, Puerto Rico—Construction permit for new station, **1290 kc.**, 500 watts, unlimited time.

Second Zone

WSAI—Crosley Radio Corporation, Cincinnati, Ohio—Construction permit to make equipment changes and increase power, amended to request power increase to 1 KW night, 2½ KW day.

WJAY—Cleveland Radio Broadcasting Corp., Cleveland, Ohio—Modification of license to change power and hours to 250 watts night, 500 watts day, unlimited time.

Third Zone

KGHI—Lloyd Judd Co., Little Rock, Ark.—Construction permit application amended to request 100 watts night, 250 watts day, **1200 kc.**

WKEU—Allen Wright Marshall, Sr., Allen Wright Marshall, Jr., and Guy Aaron Malcom, Le Grange, Ga.—Modification of construction permit for new station to use 100 watts on **1500 kc.**, to extend completion date.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark—Modification of license to change hours of operation from specified to unlimited.

Fourth Zone

WDGY—Dr. George W. Yound, Minneapolis, Minn.—Construction permit to make equipment changes and increase power from 1 KW to 2½ KW.

WOC-WHO—Central Broadcasting Co., Des Moines, Iowa—License to cover construction permit for 50 KW.

Fifth Zone

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of license to use auxiliary transmitter of KFI as main transmitter of KECA.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Authority to install automatic frequency control equipment.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Modification of license to change main studio from Long Beach to Los Angeles.

KVOR—Reynolds Radio Co., Inc., Colorado Springs, Colo.—Voluntary assignment of license to S. H. Patterson.

KICA—Southwest Broadcasting Co., Clovis, N. Mex.—License to cover construction permit to move transmitter and studio locally.

KREG—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Authority to install automatic frequency control equipment.

The National Association of Broadcasters

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PHILIP G. LOUCKS, Managing Director

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SUPREME COURT OF THE UNITED STATES

Nos. 657, 658, 659, and 660—October Term 1932

(657) FEDERAL RADIO COMMISSION, PETITIONER, *v.* NELSON BROS. BOND & MORTGAGE CO. (STATION WIBO). (658) FEDERAL RADIO COMMISSION, PETITIONER, *v.* NORTH SHORE CHURCH (STATION WPPC). (659) FEDERAL RADIO COMMISSION AND JOHNSON-KENNEDY RADIO CORPORATION (STATION WJKS), PETITIONERS, *v.* NELSON BROS. BOND & MORTGAGE CO. (STATION WIBO). (660) FEDERAL RADIO COMMISSION AND JOHNSON-KENNEDY RADIO CORPORATION (STATION WJKS), PETITIONERS, *v.* NORTH SHORE CHURCH (STATION WPCC). ON WRITS OF CERTIORARI TO THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Mr. Chief Justice Hughes delivered the opinion of the Court.

The Johnson-Kennedy Radio Corporation, owning station WJKS at Gary, Ind., applied to the Federal Radio Commission for modification of license so as to permit operation, with unlimited time, on the frequency of 560 kilocycles, then assigned for the use of station WIBO, owned by Nelson Bros. Bond & Mortgage Co., and station WPCC, owned by the North Shore Church, both at Chicago, Ill. These owners appeared before the chief examiner who, after taking voluminous testimony, recommended that the application be denied. The applicant filed exceptions and, on consideration of the evidence, the Commission granted the application and directed a modified license to issue to the applicant authorizing the operation of station WJKS on the frequency of 560 kilocycles and terminating the existing licenses theretofore issued for stations WIBO and WPCC. On appeal, the Court of Appeals of the District of Columbia reversed the Commission's decision upon the ground that it was "in a legal sense arbitrary and capricious" (62 F. (2d) 854). This Court granted certiorari (288 U. S. —).

The action of the Commission was taken under section 9 of the Radio Act of 1927 (c. 169, 44 Stat. 1166), as amended by section 5 of the act of March 28, 1928 (ch. 263, 45 Stat. 373; 47 U. S. C. 89).[1] The findings of fact upon which the Commission based its order included the following:

"Gary, Ind., about 30 miles from Chicago, is the largest steel center in the world. It has a population of approximately 110,000 and is located in what is known as the Calumet region which has a population of about 800,000, 60 percent of whom are foregn born and represent over 50 nationalities. Station WJKS is the only radio station in Gary, and the programs it broadcasts are well designed to meet the needs of the foreign population. These programs include 'broadcasts for Hungarian, Italian, Mexican, Spanish, German, Russian, Polish, Croatian, Lithuanian, Scotch, and Irish people', and 'are musical, educational, and instructive in their nature and stress loyalty to the community and the Nation.' Programs are arranged and supervised 'to stimulate community and racial origin pride and rivalry and to instruct in citizenship and American ideals and responsibilities.' 'Special safety prevention talks' are given for workingmen, explaining the application of new safeguards of various types of machinery used in the steel mills. The children's hour utilizes selections from various schools. There are 'good citizenship talks' weekly by civic leaders. The facilities of the station are made available to the local police department and to all fraternal, charitable, and religious organizations in the Calumet region, without charge. Sunday programs consist mainly 'of church service broadcasts' including all churches and denominations desiring to participate. Although the Calumet area is served by a station at Fort Wayne and by several stations in Chicago, station WJKS 'is the only station which serves a substantial portion of the area with excellent or even good service.' While station WJKS 'delivers a signal of sufficient strength to give good reception in its normal service area if not interfered with, heterodyne and cross-talk interference exist to within 3 miles of the transmitter and constant objection to interference is found in the good service area of the station, particularly to the south, southeast, and east.' This interference has increased during the past 2 years.

"Station WIBO is operated by Nelson Bros. Bond & Mortgage Co. separately from its mortgage and real-estate business. It employs 55 persons, and its total monthly expenses average $17,000. In March 1931 it earned a net profit of $9,000. It represents a total cost of $346,362.99, less a reserve for depreciation of $54,627.36, and has been operated since April 1925. Station WIBO was licensed to share time with station WPCC, the latter being authorized to operate on Sundays during stated hours and by agreement has operated on certain week days in exchange for Sunday hours.

"The licenses for stations WIBO and WPCC, effective from September 1, 1931, to March 1, 1932, were issued upon the following condition: 'This license is issued on a temporary basis and subject to such action as the Commission may take after hearing on the application filed by station WJKS, Gary, Ind., for the frequency 560 kilocycles. No authority contained herein shall be construed as a finding by the Federal Radio Commission that the operation of this station is or will be in the public interest beyond the term hereof.'

"The programs broadcast by station WIBO include a large number of chain programs originating in the National Broadcasting Network, and are almost entirely commercial in their nature. The same general type of programs broadcast by WIBO, including National Broadcasting Chain programs, are received in the service area of WIBO from many other stations located in the Chicago district.

"Station WPCC, owned by the North Shore Church, has programs made up entirely of sermons, religious music, and talks relating to the work and interests of the church. Contributions are solicited for the use of the church and to advance the matters in which it is interested; it is not used by other denominations or societies. 'Other stations in Chicago, including WMBI, owned by the Moody Bible Institute, devoting more time to programs of a religious nature than WPCC, are received in the service area of that station.'

"'The State of Indiana is 2.08 units, or 22 percent, under quota in station assignments, and the State of Illinois is 12.49 units, or 55 percent over quota in such assignments. The fourth zone, in which both States are located, is 21 units, or 26 percent, over quota in station assignments. The granting of this application and deletion of WIBO and WPCC would reduce the over-quota status of the State of Illinois and the fourth zone by 0.88 unit and 0.45 unit, respectively, and would increase the quota of Indiana by 0.43 unit.'"

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[1] Section 5 of the act of March 28, 1928 (45 Stat. 373), is as follows:

"SEC. 5. The second paragraph of section 9 of the Radio Act of 1927 is amended to read as follows: . .

"It is hereby declared that the people of all the zones established by section 2 of this act are entitled to equality of radio broadcasting service, both of transmission and of reception, and in order to provide said equality the licensing authority shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency or wave lengths, of periods of time for operation, and of station power, to each of said zones when and insofar as there are applications therefor; and shall make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, the District of Columbia, the Territories, and possessions of the United States within each zone, according to population. The licensing authority shall carry into effect the equality of broadcasting service hereinbefore directed, whenever necessary or proper, by granting or refusing licenses or renewals of licenses, by changing periods of time for operation, and by increasing or decreasing station power, when applications are made for licenses or renewals of licenses: *Provided,* That if and when there is a lack of applications from any zone for the proportionate share of licenses, wave lengths, time of operation, or station power to which such zone is entitled, the licensing authority may issue licenses for the balance of the proportion not applied for from any zone, to applicants from other zones for a temporary period of 90 days each, and shall specifically designate that said apportionment is only for said temporary period. Allocations shall be charged to the State, District. Territory, or possession wherein the studio of the station is located and not where the transmitter is located."

"Summarizing the grounds of its decision, the Commission found:

"'1. The applicant station (WJKS) now renders an excellent public service in the Calumet region, and the granting of this application would enable that station to further extend and enlarge upon that service.

"'2. The deletion of stations WIBO and WPCC would not deprive the persons within the service areas of those stations of any type of programs not now received from other stations.

"'3. Objectionable interference is now experienced within the service area of WJKS through the operation of other stations on the same and adjacent frequencies.

"'4. The granting of this application and deletion of stations WIBO and WPCC would not increase interference within the good service areas of any other stations.

"'5. The granting of this application and deletion of stations WIBO and WPCC would work a more equitable distribution of broadcasting facilities within the fourth zone, in that there would be an increase in the radio broadcasting facilities of Indiana which is now assigned less than its share of such facilities and a decrease in the radio broadcasting facilities of Illinois which is now assigned more than its share of such facilities.

"'6. Public interest, convenience, and/or necessity would be served by the granting of this application.'"

The court of appeals was divided in opinion. The majority pointed out that the court had repeatedly held that "it would not be consistent with the legislative policy to equalize the comparative broadcasting facilities of the various States or zones by unnecessarily injuring stations already established which are rendering valuable service to their natural service areas"; and they were of opinion that the evidence showed that stations WIBO and WPCC had been "serving public interest, convenience, and necessity certainly to as great an extent as the applicant station" and that "the conclusively established and admitted facts" furnished no legal basis for the commission's decision. The minority of the court took the view that the court was substituting its own conclusions for those of the commission, that the commission had acted within its authority, and that its findings were sustained by the evidence.

First. Respondents challenge the jurisdiction of this court. They insist that the decision of the court of appeals is not a "judicial judgment"; that, for the purpose of the appeal to it, the Court of Appeals is merely a part of the machinery of the Radio Commission and that the decision of the court is an administrative decision. Respondents further insist that if this court examines the record, its decision "would not be a judgment, or permit of a judgment to be made in any lower court, but would permit only consummation of the administrative function of issuing or withholding a permit to operate the station."

Under Section 16 of the Radio Act of 1927, the Court of appeals, on appeal from decisions of the Radio Commission, was directed to "hear, review, and determine the appeal" upon the record made before the commission, and upon such additional evidence as the court might receive, and was empowered to "alter or revise the decision appealed from and enter such judgment as to it may seem just" (44 Stat. 1169). This provision made the court "a superior and revising agency" in the administrative field and consequently its decision was not a judicial judgment reviewable by this court. (*Federal Radio Commission* v. *General Electric Co.*, 281 U. S. 464, 467). The province of the court of appeals was found to be substantially the same as that which it had, until recently, on appeals from administrative decisions of the Commissioner of Patents. While the Congress can confer upon the courts of the District of Columbia such administrative authority, this court cannot be invested with jurisdiction of that character whether for the purpose of review or otherwise. It cannot give decisions which are merely advisory, nor can it exercise functions which are essentially legislative or administrative. (*Id.*, pp. 468, 469; *Keller* v. *Potomac Electric Power Co.*, 261 U. S. 428, 442-444; *Postum Cereal Co.* v. *California Fig Nut Co.*, 272 U. S. 693, 700.)

In the light of the decision in the General Electric case, supra, the Congress, by the act of July 1, 1930, chapter 788, amended Section 16 of the Radio Act of 1927 so as to limit the review by the court of appeals (46 Stat. 844; 47 U.S.C. 96).[2] That review is now expressly limited to "questions of law" and it is provided "that findings of fact by the Commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Commission are arbitrary or capricious." This limitation is in sharp contrast with the previous grant of authority. No longer is the court entitled to revise the Commission's decision and to enter such judgment as the court may think just. The limitation manifestly demands judicial, as distinguished from administrative, review. Questions of law form the appropriate subject of judicial determinations. Dealing with activities admittedly within its regulatory power, the Congress established the Commission as its instrumentality to provide continuous and expert supervision and to exercise the administrative judgment essential in applying legislative standards to a host of instances. These standards the Congress prescribed. The powers of the Commission were defined, and definition is limitation. Whether the Commission applies the legislative standards validly set up, whether it acts within the authority conferred or goes beyond it, whether its proceedings satisfy the pertinent demands of due process, whether, in short, there is compliance with the legal requirements which fix the province of the Commission and govern its action, are appropriate questions for judicial decision. These are questions of law upon which the court is to pass. The provision that the Commission's findings of fact, if supported by substantial evidence, shall be conclusive unless it clearly appears that the findings are arbitrary or capricious, cannot be regarded as an attempt to vest in the court an authority to revise the action of the Commission from an administrative standpoint and to make an administrative judgment. A finding without substantial evidence to support it—an arbitrary or capricious finding—does violence to the law. It is without the sanction of the authority conferred. And an inquiry into the facts before the Commission, in order to ascertain whether its findings are thus vitiated, belongs to the judicial province and does not trench upon, or involve the exercise of, administrative authority. Such an examination is not concerned with the weight of evidence or with the wisdom or expediency of the administrative action. (*Interstate Commerce Commission* v. *Illinois Central R.R. Co.*, 215 U. S. 452, 470; *Interstate Commerce Commission* v. *Union Pacific R.R. Co.*, 222 U. S. 541, 547, 548; *New England Divisions Case*, 261 U. S. 184, 203, 204; *Keller* v. *Potomac Electric Power Co.*, *supra; The Chicago Junction Case*, 264 U. S. 258, 263, 265; *Silberschein* v. *United States*, 266 U. S. 221, 225; *Ma-King Products Co.* v. *Blair*, 271 U. S. 479, 483; *Federal Trade Commission* v. *Klesner*, 280 U. S. 19, 30; *Tagg Bros.* v. *United States*, 280 U. S. 420, 442; *Federal Trade Commission* v. *Raladam Co.*, 283 U. S. 643, 654; *Crowell* v. *Benson*, 285 U. S. 22, 49, 50.)

If the questions of law thus presented were brought before the Court by suit to restrain the enforcement of an invalid administrative order there could be no question as to the judicial character of the proceeding. But that character is not altered by the mere fact that remedy is afforded by appeal. The controlling question is whether the function to be exercised by the Court is a judicial function; and if so, it may be exercised on an authorized appeal from the decision of an administrative body. We must not "be misled by a name but look to the substance and intent of the proceeding." (*United States* v. *Ritchie*, 17 How. 525, 534; *Stephens* v. *Cherokee Nation*, 174 U. S. 445, 479; *Federal Trade Commission* v. *Eastman Co.*, 274 U. S. 619, 623; *Old Colony Trust Co.* v. *Commissioner*, 279 U. S. 716, 722-724.) "It is not important," we said in *Old Colony Trust Co.* v. *Commissioner*, supra, "whether such a proceeding was originally begun by an administrative or executive determination, if when it comes to the court, whether legislative or constitutional, it calls for the exercise of only the judicial power of the court upon which jurisdiction has been conferred by law." Nor is it necessary that the proceeding to be judicial should be one entirely de novo. When on the appeal, as here provided, the parties come before the court of appeals to obtain its decision upon the legal question whether the Commission has acted within the limits of its authority and to have their rights, as established by law, determined accordingly, there is a case or controversy which is the appropriate subject of the exercise of judicial power. The provision that in case the Court reverses the decision of the Commission "it shall remand the case to the Commission to carry out the judgment of the Court" means no more than that the Commission in its further action is to respect and follow the Court's determination of the questions of law. The procedure thus contemplates a judicial judgment by the court of appeals, and this Court has jurisdiction, on certiorari, to review that judgment in order to determine whether or not it is erroneous. (*Osborn* v. *United States Bank,* 9 Wheat. 738, 819; *In re Pacific Railway Commission,* 32 Fed. 241, 255; *Federal Trade Commission* v. *Klesner,* supra; *Federal Trade Commission* v. *Raladam Co.,* supra; *Old Colony Trust Co.* v. *Commissioner,* supra.)

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[2] By this amendment, sec. 16 (d) reads as follows:

"At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision of the Commission, and, in event the court shall render a decision and enter an order reversing the decision of the Commission, it shall remand the case to the commission to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the Commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the commission are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under sec. 347 of title 28 of the Judicial Code by appellant, by the Commission, or by any interested party intervening in the appeal" (46 Stat. 844; 47 U.S.C. 96).

In reporting this amendment, the Committee on the Merchant Marine and Fisheries of the House of Representatives stated: "The purpose of the amendment is to clarify the procedure on appeal to the court from decisions of the Federal Radio Commission, to more clearly define the scope of the subject matter of such appeals, and to insure a review of the decision of the Court of Appeals of the District of Columbia by the Supreme Court" (H. Rept. No. 1665, 71st Cong., 2d sess., p. 2).

Second. In this aspect, the questions presented are (1) whether the Commission, in making allocations of frequencies or wave lengths to States within a zone, has power to license operation by a station in an "under-quota" State on a frequency theretofore assigned to a station in an "over-quota" State and to terminate the license of the latter station; (2) whether, if the Commission has this power, its findings of fact sustain its order in the instant case, in the light of the statutory requirements for the exercise of the power; and if so, whether these findings are supported by substantial evidence; and (3) whether, in its procedure, the Commission denied to the respondents any substantial right.

1. No question is presented as to the power of the Congress, in its regulation of interstate commerce, to regulate radio communications. No State lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of radio facilities. In view of the limited number of available broadcasting frequencies, the Congress has authorized allocation and licenses. The Commission has been set up as the licensing authority and invested with broad powers of distribution in order to secure a reasonable equality of opportunity in radio transmission and reception.

The Radio Act divides the United States into five zones, and Illinois and Indiana are in the fourth zone. (Sec. 2, 47 U. S. C. 82.) Except as otherwise provided in the act, the Commission "from time to time, as public convenience, interest, or necessity requires," is directed to "assign bands of frequency or wave lengths to the various classes of stations and assign frequencies or wave lengths for each individual station and determine the power which each station shall use and the time during which it may operate," and to "determine the location of classes of stations or individual stations." (Sec. 4 (c) (d), 47 U. S. C. 84.) By Section 9, as amended in 1928, the Congress declared that the people of all the zones "are entitled to equality of radio broadcasting service, both of transmission and of reception," and that "in order to provide said equality the licensing authority shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency or wave lengths, of periods of time for operation, and of station power to each of said zones when and insofar as there are applications therefor"; and the Commission is further directed to "make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, * * * within each zone, according to population"; and the Commission is to "carry into effect the equality of broadcasting service, * * * whenever necessary or proper, by granting or refusing licenses or renewals of licenses, by changing periods of time for operation and by increasing or decreasing station power when applications are made for licenses or renewals of licenses." (Sec. 9, 47 U. S. C. 89.[3])

By its General Order No. 40, of August 30, 1928[4] the Commission established a basis for the equitable distribution of broadcasting facilities in accordance with the act. That order, as amended, provided for the required apportionment by setting aside a certain number of frequencies for use by stations operating on clear channels for distant service, and other frequencies for simultaneous use by stations operating in different zones, each station serving a regional area, and still others for use by stations serving city or local areas. These three classes of stations have become known as "clear, regional, and local channel stations." A new allocation of frequencies, power, and hours of operation was made in November 1928,[5] to conform to the prescribed classification. It was found to be due," based on estimated population, and the "units assigned." This impracticable to determine the total value of the three classes of assignments so that it could be ascertained whether a State was actually "under or over quota on total radio facilities," and the Commission developed a "unit system" in order "to evaluate stations, based on type of channel, power and hours of operation, and all other considerations required by law." In June 1930 the Commission issued its General Order No. 92,[6] specifying the "unit value" of stations of various types, and in this way the Commission was able to make a tabulation by zones and States showing the "units action called for administrative judgment, and no ground is shown for assailing it. It appears that, with respect to total broadcasting facilities, Indiana is "under quota" and Illinois is "over quota" in station assignments.

Respondents contend that the Commission has departed from the principle set forth in its General Order No. 92, because it has ignored the fact that, both Indiana and Illinois being under quota in regional station assignments, Indiana has more of such assignments in proportion to its quota than has Illinois, and by ordering the deletion of regional stations in Illinois in favor of an Indiana station, the Commission has violated the command of Congress by increasing the under-quota condition of Illinois in favor of the already superior condition of Indiana with respect to stations of that type. We find in the act no command with the import upon which respondents insist. The command is that there shall be a "fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States within each zone." It cannot be said that this demanded equality between States with respect to every type of station. Nor does it appear that the Commission ignored any of the facts shown by the evidence. The fact that there was a disparity in regional station assignments, and that Indiana had more of this type than Illinois, could not be regarded as controlling. In making its "fair and equitable allocations" the Commission was entitled and required to consider all the broadcasting facilities assigned to the respective States, and all the advantages thereby enjoyed, and to determine whether, in view of all the circumstances of distribution, a more equitable adjustment would be effected by the granting of the application of station WJKS and the deletion of stations WIBO and WPCC.

To accomplish its purpose the statute authorized the Commission to effect the desired adjustment "by granting or refusing licenses or renewals of licenses by changing periods of time for operation, and by increasing or decreasing station power." This broad authority plainly extended to the deletion of existing stations if that course was found to be necessary to produce an equitable result. The context, as already observed, shows clearly that the Congress did not authorize the Commission to act arbitrarily or capriciously in making a redistribution, but only in a reasonable manner to attain a legitimate end. That the Congress had the power to give this authority to delete stations, in view of the limited radio facilities available and the confusion that would result from interferences, is not open to question. Those who operated broadcasting stations had no right superior to the exercise of this power of regulation. They necessarily made their investments and their contracts in the light of and subject to this paramount authority. This Court has had frequent occasion to observe that the power of Congress in the regulation of interstate commerce is not fettered by the necessity of maintaining existing arrangements which would conflict with the execution of its policy, as such a restriction would place the regulation in the hands of private individuals and withdraw from the control of Congress so much of the field as they might choose by prophetic discernment to bring within the range of their enterprises. (*Union Bridge Co.* v. *United States,* 204 U. S. 364, 400, 401; *Philadelphia Co.* v. *Stimson,* 223 U. S. 605, 634, 638; *Philadelphia, Baltimore & Washington R.R. Co.* v. *Schubert,* 224 U. S. 603, 613, 614; *Greenleaf Lumber Co.* v. *Garrison,* 237 U. S. 251, 260; *Continental Insurance Co.* v. *United States,* 259 U. S. 156, 171; *Sproles* v. *Binford,* 286 U. S. 374, 390, 391; *Stephenson* v. *Binford,* 287 U. S. 251, 276; *City of New York* v. *Federal Radio Commission,* 36 F. (2d) 115; 281 U. S. 729; *American Bond & Mortgage Co.* v. *United States,* 52 F. (2d) 318; 285 U. S. 538; *Trinity Methodist Church South* v. *Federal Radio Commission,* 62 F. (2d) 850; 288 U. S. —.)

Respondents urge that the Commission has misconstrued the act of Congress by apparently treating allocation between States within a zone as subject to the mandatory direction of the Congress relating to the zones themselves. Respondents say that as to zones Congress requires an "equal" allocation, but as between States only "a fair and equitable" allocation, and that the provision "for granting or refusing licenses or renewals of licenses" relates to the former and not to the latter. It is urged that this construction is fortified by the proviso in Section 9 as to temporary permits for zones.[7] We think that this attempted distinction is without basis. The Congress was not seeking in either case "an exact mathematical division."[8] It was recognized that this might be physically impossible. The equality sought was not a mere matter of geographical delimitation. The concern of the Congress was with the interests of the people—that they might have a reasonable equality of opportunity in radio transmission and reception, and this involved an equitable distribution not only as between zones but as between States as well. And to construe the authority conferred, in relation to the deletion of stations, as being applicable only to an apportionment between zones and not between States, would defeat the manifest purpose of the act.

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[3] See note 1.

[4] Report, 1928, Federal Radio Commission, pp 17, 48.

[5] Id., pp. 18, 215-218.

[6] Report, 1930, Federal Radio Commission, pp. 4, 24.

We conclude that the Commission, in making allocations of frequencies to States within a zone, has the power to license operation by a station in an under-quota State on a frequency theretofore assigned to a station in an over-quota State, provided the Commission does not act arbitrarily or capriciously.

(2) Respondents contend that the deletion of their stations was arbitrary in that they were giving good service, that they had not failed to comply with any of the regulations of the Commission, and that no proceeding had been instituted for the revocation of their licenses as provided in Section 14 of the act (47 U. S. C. 94). That section permits revocation of particular licenses by reason of false statements or for failure to operate as the license required or to observe any of the restrictions and conditions imposed by law or by the Commission's regulations. There is, respondents say, no warrant in the act for a "forfeiture" such as that here attempted. But the question here is not with respect to revocation under Section 14, but as to the equitable adjustment of allocations demanded by Section 9. The question is not simply as to the service rendered by particular stations, independently considered, but as to relative facilities—the apportionment as between States. At the time of the proceeding in question respondents were operating under licenses running from September 1, 1931, to March 1, 1932, and which provided in terms that they were issued "on a temporary basis and subject to such action as the Commission may take after hearing on the application filed by station WJKS" for the frequency 560 kilocycles. Charged with the duty of making an equitable distribution as between States it was appropriate for the Commission to issue temporary licenses with such a reservation in order to preserve its freedom to act in the light of its decision on that application. And when decision was reached there was nothing either in the provisions of Section 14 or otherwise in the act which precluded the Commission from terminating the licenses in accordance with the reservation stipulated.

In granting licenses the Commission is required to act "as public convenience, interest, or necessity requires." This criterion is not to be interpreted as setting up a standard so indefinite as to confer an unlimited power. (Compare *N. Y. Central Securities Co.* v. *United States,* 287 U. S. 12, 24.) The requirement is to be interpreted by its context, by the nature of radio transmission and reception, by the scope, character, and quality of services, and, where an equitable adjustment between States is in view, by the relative advantages in service which will be enjoyed by the public through the distribution of facilities. In making such an adjustment the equities of existing stations undoubtedly demand consideration. They are not to be the victims of official favoritism. But the weight of the evidence as to these equities and all other pertinent facts is for the determination of the Commission in exercising its authority to make a "fair and equitable allocation."

In the instant case the Commission was entitled to consider the advantages enjoyed by the people of Illinois under the assignments to that State, the services rendered by the respective stations, the reasonable demands of the people of Indiana, and the special requirements of radio service at Gary. The Commission's findings show that all these matters were considered. Respondents say that there had been no material change in conditions since the general reallocation of 1928. But the Commission was not bound to maintain that allocation if it appeared that a fair and equitable distribution made a change necessary. Complaint is also made that the Commission did not adopt the recommendations of its examiner. But the Commission had the responsibility of decision and was not only at liberty but was required to reach its own conclusions upon the evidence.

We are of the opinion that the Commission's findings of fact, which we summarized at the outset, support its decision, and an examination of the record leaves no room for doubt that these findings rest upon substantial evidence.

(3) Respondents raise a further question with respect to the procedure adopted by the Commission. In January 1931 the Commission issued its General Order No. 102[9] relating to applications from underquota States. This order provided, among other things, that "applications from underquota States in zones which have already allocated to them their pro rata share of radio facilities should be for a facility already in use in that zone by an overquota State," and that, since the Commission had allocated frequencies for the different classes of stations, "applications should be for frequencies set aside by the Commission for the character of station applied for." Respondents insist that these requirements foreclosed the exercise of discretion by the Commission by permitting the applicant to select the station and the facilities which it desired; that this "naked action of the applicant" precluded the Commission from "giving general consideration to the field" and from making that fair and equitable allocation which is the primary command of the statute. We think that this argument misconstrues General Order No. 102. That order is merly a rule of procedural convenience, requiring the applicant to frame a precise proposal and thus to present a definite issue. The order in no way derogates from the authority of the Commission. While it required the applicant to state the facilities it desires, there was nothing to prevent respondents from contesting the applicant's demand upon the ground that other facilities were available and should be granted in place of those which the applicant designated. If such a contention had been made, there would have been no difficulty in bringing before the Commission other stations whose interests might be drawn in question. There is no showing that the respondents were prejudiced by the operation of the order in question.

Respondents complain that they were not heard in argument before the Commission. They were heard before the examiner, and the evidence they offered was considered by the Commission. The exceptions filed by the applicant to the examiner's report were filed and served upon the respondents in August 1931, and the decision of the Commission was made in the following October. While the request of the applicant for oral argument was denied, it does not appear that any such request was made by respondents or that they sought any other hearing than that which was accorded.

We find no ground for denying effect to the Commission's action. The judgment of the court of appeals is reversed, and the cause is remanded with direction to affirm the decision of the Commission.

It is so ordered.

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[7] See note 1.

[8] Report of the Committee on the Merchant Marine and Fisheries (H. Rept. 800, 70th Cong., 1st sess., p. 3).

[9] Report, 1931, Federal Radio Commission, p. 91.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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A. A. A. A. ADOPTS RADIO REPORT

A program for the advancement of radio advertising, previously adopted by the Radio Committee of the A. A. A. A., headed by C. F. Gannon, Erwin, Wasey and Company, was approved by the Executive Board of the Association at a meeting in connection with the Sixteenth Annual Convention held at Washington this week.

The program includes the following:

1. Develop an independent bureau, supported by stations, advertisers and agencies, to study radio coverage through signal strength measurements, and popularity and listening habits through field surveys.
2. In advance of signal strength measurements, to continue the interchange of agency experience with local station coverage throughout the country.
3. Issue and promote, with the cooperation of the N. A. B., the Standard Order Blank for Spot Broadcasting, for use between agencies and individual stations in placing spot broadcasting contracts.
4. Promote publication of all rates of stations in combination.
5. Promote payments by radio stations of standard 15% agency commission and 2% cash discount on station time.
6. Encourage formation of agency recognition standards by the National Association of Broadcasters and practical application of them.
7. Encourage the listing of complete information about radio stations in Standard Rate and Data Service.
8. Encourage the use of standard rate cards for radio by stations.
9. Protect agencies' and advertisers' interests in case of license fees or other charges which tend to increase radio costs and which might make the medium less productive.
10. Study and make available agency operating data and compensation in handling of radio.
11. Favor the development of radio representatives.

Henry T. Rainey, Speaker of the House of Representatives, was the principal speaker at the banquet held on Thursday night. Speaker Rainey was scheduled to be present at the banquet but poor flying weather forced down his plane at Pittsburgh and he was compelled to speak from that city by remote control.

CAPPER BILL BARS FALSE ADVERTISING

A bill (S. 1592) to prohibit untrue, deceptive, or misleading advertising through the use of the mails or by radio broadcasting was introduced in the Senate on May 8 by Senator Capper of Kansas.

The measure has been referred to the Senate Committee on Interstate Commerce for consideration. No date for hearing has been fixed.

Designed to meet objectives similar to those sought to be achieved through amendment of the Federal Food and Drugs Act, advertisers, agencies and media alike are hoping that the U. S. Department of Agriculture and Senator Capper will cooperate in the draft of a measure which will achieve the purposes sought without imposing unreasonable and unfair burdens upon advertising media.

The bill in full text is as follows:

"That any person, firm, corporation; or association who, with intent to sell or in anywise dispose of merchandise, service, or any other thing, offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or to acquire title thereto or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, through the use of the mails or in interstate or foreign commerce, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or through broadcasting by radio, or in any other way, an advertisement of any sort regarding merchandise, service, or any other thing, so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than $1,000 or by imprisonment for not longer than five years, or by both such fine and imprisonment."

NORTH AMERICAN RADIO CONFERENCE

Present indications are that a North American radio conference will be held during the month of June for the purpose of arriving at a settlement of radio problems affecting the United States, Canada, Mexico and Cuba. The conference will be held at Mexico City at the invitation of the Mexican Government, although it is understood that an official invitation actually has not yet been received.

Since late in February various American interests have been holding conferences for the purpose of studying all phases of the problems. The work has been divided among several committees. The General Committee is presided over by Judge Eugene Octave Sykes, Chairman of the Federal Radio Commission and Chairman of the American Delegation. The Broadcasting Committee is presided over by Dr. C. B. Jolliffe, Chief Engineer of the Federal Radio Commission. The Technical Committee is headed by Dr. J. H. Dellinger of the United States Bureau of Standards. Numerous subcommittees have been appointed from time to time for the purpose of handling special matters. The meetings of these committees have been almost continuous since early in February and have required a vast amount of research work, including study of the propagation characteristics of various frequencies, data concerning natural and man-made noises, efficiency of radio apparatus used by broadcasting and mobile services, etc.

The NAB has been represented on the General Committee and also on a number of subcommittees by James W. Baldwin, former secretary of the Federal Radio Commission, who has been retained by the NAB Board to represent the broadcasters at the conference. In the technical phases of the deliberations the broadcasters were represented by J. C. McNary, head of the NAB Engineering Department.

The principal issues in the preparatory conferences are not unlike those which have been experienced in previous conferences of like nature. The participants divide into four groups: the National Association of Broadcasters, the Radio Manufacturers Association, the Mobile Group, and the National Committee on Education by Radio.

The Mobile Group is composed of representatives of the military services of the Government, the Department of Commerce, the U. S. Shipping Board, the American Steamship Owners Association, Aeronautical Radio, Inc., Radio Marine and Mackay Radio. Generally this group supports one point of view.

As yet there is no information concerning a successor to United States Senator Wallace H. White, Jr., who has declined to serve on the delegation. Those whose names have been mentioned to serve on the delegation with Judge Sykes include Dr. Irvin Stewart of the Department of State, Dr. C. B. Jolliffe, Chief Engineer of the Federal Radio Commission, and W. R. Castle, Jr., former Under Secretary of State during the Hoover administration. Mr. Castle during his tenure as Under Secretary had general supervision of all radio matters arising in the Department of State. It was Mr. Castle who negotiated the arrangement of May 5, 1932, between the United States and the Dominion of Canada.

EUROPEAN SOCIETY SUES ASCAP

The Society of European Stage Authors and Composers, Inc., has brought a suit for $250,000 damages against the American Society of Composers, Authors and Publishers in the Supreme Court of the State of New York alleging that the latter Society induced the Columbia Broadcasting System not to consummate a licensing agreement with the European organization.

During the past two weeks the European Society, through its attorneys, notified a number of stations on both the networks of the Columbia Broadcasting System and the National Broadcasting Company that they had infringed certain musical compositions of the European Society, demanding damages for such infringements. In nearly every instance the allaged infringements occurred during network programs.

COMMERCIAL DEPARTMENT IS PROPOSED

A plan for the development of a commercial and statistical department, along the lines recommended by the Managing Director in his annual report to the membership, is now receiving serious study. If the plan, which will be submitted to the NAB Commercial Committee shortly, wins adequate support the department will be created at an early date.

The investigation into the possibilities of creating a NAB Credit Bureau is nearing completion and it is hoped that a detailed proposal will be ready for submission to the membership within the next few weeks.

PROGRAM IDEA INTERCHANGE PLANNED

Creation of a department in NAB Headquarters for the interchange of program ideas and scripts will be discussed at the meeting of the NAB Program Committee soon to be called by Chairman Ed. Bill, Peoria, Ill. Recommendation that such a department be created was contained in the St. Louis report of the Managing Director and the Board has authorized its creation on condition that adequate finances can be found.

Such a department would probably work in cooperation with the U. S. Office of Education with respect to programs of an educational nature and would have general charge of program statistics. The department would also study both commercial and sustaining program trends.

Dr. C. M. Koon, senior specialist in education by radio of the Office of Education, has recently returned from visiting radio stations through the South and has found that station operators are facing many problems in planning daily programs. The Office of Education has taken the initiative by sponsoring a series of broadcast programs which are now being used by 225 stations.

COMMISSION MOVE STILL UNCERTAIN

There is still considerable uncertainty in connection with the transfer of the Federal Radio Commission to the Department of Commerce under the proposed government reorganization plan.

Secretary of Commerce Roper said this week that the Commission will come into his Department but in other quarters it is held that the Commission will be left an independent body even if there is reorganization of Departments.

The Commission is also still uncertain about its personnel. No action has been taken up to this time but dismissals will have to be made in a short time to become effective June 1. It is probable that six or seven dismissals will be made from the Washington office of the Commission.

NAB SECTION MEETING PROGRAM

A tentative program for the second meeting of the NAB Commercial Section to be held at Grand Rapids, Mich., in connection with the annual convention of the Advertising Federation of America, June 25 to 28, was developed at a conference in Washington this week attended by H. K. Carpenter, Raleigh, N. C., chairman of the NAB Commercial Committee; Edgar Kobak, president of the AFA; Earle Pearson, general manager of the AFA; and Philip G. Loucks, NAB Managing Director.

This year's program of the section will be devoted entirely to a round table discussion of broadcasting problems with leaders in the industry leading the discussions.

Such subjects as merchandising, standardization of units of sale, rates, commercial script, standardization of commercial forms, station promotion, statistical, credit and program interchange methods, and station displays are on the program for discussion.

The meeting will be held on Tuesday, June 27, the morning session commencing at 10 a. m. and the afternoon session at 2 p. m. Chairman Carpenter will preside at both sessions.

Details of the program will be announced later.

KFAB CASE ARGUMENT MAY 18

Argument in the case of Sorensen vs. KFAB Broadcasting Company, involving the liability of a broadcasting station for defamatory remarks uttered in a political broadcast, will be heard by the Supreme Court of Nebraska on May 18.

The Supreme Court of Nebraska in a previous decision held that the station was liable for the remarks uttered but remanded the case to the court below because of error in instructions to the jury. The case was heard a second time in the lower court and is now before the Supreme Court. It is expected that the bigher court will reaffirm its earlier decision and hand down a ruling within 30 days.

Because of the vital importance of the issue involved, the NAB has retained counsel to carry the case to the Supreme Court of the United States. In the meantime a Washington State Supreme Court has followed the Nebraska decision in a case involving a similar principle.

"STATION" AND "APPARATUS" THE SAME

The United States District Court for the Eastern District of New York, on February 20, 1933, in the case of the United States v. Splane, refused to make a technical distinction between radio apparatus and a radio station. Splane was charged with operating without license a certain apparatus for transmission of communications and signals by radio. It was argued that because the complaint referred to a radio apparatus and not to a "station" it was insufficient. While this case came up in a criminal court, nevertheless the viewpoint that the court took of interpreting the Radio Act of 1927 is of interest. It was held that the plain intent of the law should not be frustrated by elaborate deference to mere verbiage. While "station" and "apparatus" may not be synonymous in the literal sense, it is clear that within the design of statute they may be considered interchangeable. The warrant to apprehend the defendant was based upon a verified complaint by a radio technician attached to the Department of Justice, and the Court sustained the legal sufficiency of this warrant.

FLORIDA PERMITS BEER AND WINE

The Revised General Statutes of the State of Florida, Section 5456, provide: "Advertising the manufacture, sale or keeping for sale of liquors; penalty. It shall be unlawful to advertise the manufacture, sale, or keeping for sale, or other disposition thereof within this State, of any alcoholic liquors either spirituous, vinous, or malt, such as brandy, whiskey, wine, rum, gin, beer, or other alcoholic liquors or any of them, in any or either of the following ways or manners"; then sets out practically all the usual advertising media (except radio), but adds a clause "or otherwise in any manner to advertise the manufacture, sale or keeping for sale," etc.

By virtue of an amendment which became law upon approval by the Governor on May 6, 1933, the following proviso was added: "Provided always, however, that nothing in this Section contained shall in any wise apply to or be construed to prevent the advertisement of or the solicitation of orders for any malt or vinous beverages or fruit juices which may at any time be permitted by law to be manufactured, transported and sold in the State of Florida."

HOUSE GIVES COMMISSION $640,000

After two days' debate, the House of Representatives on Friday passed the Independent Offices appropriation bill, containing the appropriation for the Federal Radio Commission for the coming fiscal year beginning July 1. The Commission was given $640,000 for the year under the bill, which is the amount recommended by both the Bureau of the Budget and the Appropriations Committee of the House. The bill now goes to the Senate for action.

There was no discussion on the section relating to the Radio Commission except by Representative Ludlow of Indiana, who spoke on the Press Division of the Commission, urging that it be retained under the directorship of Frank Wisner. There has been much talk that the Division would be closed in the interest of economy. No official action has yet been taken on the Press Division abolishment.

EXAMINER FAVORS KMBC MOVE

Application of Station KMBC, Kansas City, Mo., to move to Kansas City, Kans. (Report No. 478, Hyde, e.). Recommends that application be granted.

The Examiner recommended that the Commission affirm its original action of September 15, 1932, allowing the station to make the move. He states that the evidence shows that the proposed change in location would improve the service of the station in the metropolitan area of Kansas City, Kansas and Missouri. Mr. Hyde states that the testimony offered in support of the contention that the proposed change would have an adverse effect on other stations "is considered as too conjectural to sustain the position of the protesting parties."

RECOMMENDS NEW N. C. STATION

William A. Wynne, of Greenville, N. C., applied to the Commission for a construction permit for a new station at Greenville to use 1420 kilocycles, 100 watts power, and daytime operation (Report No. 477, Yost, e.). The Examiner recommends that the application be granted.

The Examiner found that the applicant is qualified to construct and operate such a station as proposed, and that there is a need for such a station at Greenville. The new station would not cause any interference, the Examiner found, and it is in an under-quota state.

RECOMMENDS DENIAL TELEVISION LICENSE

Dr. George W. Young asks for construction permit for visual broadcast station at Minneapolis, Minn., to use 2000-2100 kilocycles, 500 watts power, and unlimited time on the air (Report No. 476, Yost, e.). Recommended that application be denied.

While admitting the research and ability of the applicant the Examiner states that "the applicant has shown no program of research which it is believed will improve the art of television in the band of 2000-2100 kilocycles." The report says further that "the applicant states that the frequency band 2000-2100 kilocycles cannot be expected to be final frequencies on which television can operate but that quasi optical frequencies must be used." The Chief Examiner therefore found that the granting of the application would not be in the public interest.

THERONOID ADVERTISING BARRED

The Federal Trade Commission has ordered Theronoid, Inc., of New York, Philadelphia, Trenton, Cleveland, Detroit and Washington to cease advertising that the use of its appliance, a solenoid belt having magnetic properties, produces a physical-therapeutic effect on the human body or is likely to aid in treating diseases.

By means of extensive newspaper advertising, as well as radio broadcasting over 19 stations and the circulation of pamphlets, testimonials, and other literature, Theronoid advertised its appliance as, among other things, a relief, prevention or cure for the following diseases: Asthma, arthritis, bladder trouble, bronchitis, catarrh, constipation, diabetes, eczema, heart trouble, hemorrhoids, indigestion, insomnia, lumbago, nervous disorders, neuralgia, neuritis, rheumatism, sciatica, stomach trouble, varicose veins, and high blood pressure.

Specifically, the Commission orders the company, in connection with advertising or offering for sale its device, to cease "representing in any manner whatsoever that the said belt or device or any similar device or appliance designed or intended to operate through exposure of a human subject to a low-frequency alternating magnetic field, without any physical conductive connection of such subject in the circuit, has any physical-therapeutic effect upon such subject, or that it is calculated or likely to aid in the prevention, treatment or cure of any human ailment, sickness or disease."

NAB PROGRAM IS UP TO YOU

Following the St. Louis Convention last November, under the leadership of President Alfred J. McCosker, WOR, Newark, N. J., a comprehensive program for the NAB was worked out. Virtually all of the recommendations of the Managing Director were adopted and will be put into operation if the Association obtains the requisite financial support from the industry.

The new NAB administration is ready and willing to serve; but the industry controls the measure of that service. The program will be carried into execution just as rapidly as funds are available for the work. Only lack of interest on the part of the industry as a whole can retard it.

As an example of what is meant by this program of action, the Association has retained Hon. Newton D. Baker as copyright counsel; the Radio Program Foundation has been organized and Oswald F. Schuette named as president; James W. Baldwin, former secretary of the Federal Radio Commission, has been retained to represent the broadcasters at the forthcoming North American Conference; J. C. McNary, prominent young radio engineer, has been employed as chief of the new NAB Engineering Department; plans are now on foot to create Commercial and Program Departments; scores of conferences have been held at which the broadcasters were represented by the NAB; several dozen bills in State Legislatures have been opposed; all bills in the Federal Congress have been studied and where inimical to the interests of the industry as a whole, the NAB has interposed opposition: counsel has been retained to carry the KFAB case to the Supreme Court of the United States. These are only a few of the activities of the NAB. The thousands of routine matters, correspondence, etc., obviously cannot be summarized. But this should be sufficient to demonstrate that the NAB is ready and willing to serve; that it is working every day for your interests; that it is your Association; and that it can accomplish much more if you will help your 230 fellow broadcasters to support it.

SEND IN THE ATTACHED BLANK

This issue of NAB REPORTS is being sent to all broadcast stations licensed by the United States Government. A blank for applying for membership is attached. The NAB Code of Ethics is printed on the reverse side.

Dues of the NAB are fixed by the Constitution and By-laws. At the St. Louis Convention a resolution was adopted authorizing the Managing Director to accept membership applications from stations whose gross business during the 12-month period immediately preceding December 1, 1932, did not exceed $30,000. This rule applies regardless of the power of the station applying, but a statement setting forth the fact that the station is eligible for admission under the rule must accompany the application.

For stations whose gross business during the year ended December 1, 1932, exceeded $30,000 the rates of dues are as follows: Up to and including 100 watts, $125 a year; from 100 watts to 250 watts, $250 a year; 250 watts to 1,000 watts, $300 a year; above 1,000 watts, $500 a year. The schedule is based upon night-time power in all cases.

All dues are payable quarterly in advance. Regular quarters commence on January 1, April 1, July 1, and October 1.

Send in the application blank today.

"SCHOOL BROADCASTING" VOLUME READY

Broadcasting is an invaluable auxiliary instrument for the teaching of modern languages, history, geography, literature, natural sciences and other school subjects, the Federal Office of Education reported this week in announcing findings of an investigation of school broadcasting in 25 countries of the world.

The complete report, "School Broadcasting," published by the International Institute of Intellectual Cooperation, in Paris, gives practical suggestions regarding methods of presentation best suited to instruction by radio in the classroom, planning of programs, and means of encouraging pupils to make use of radio lessons.

A special chapter in the 200-page publication is based upon a conference called by the Federal Office of Education in which representatives of the Federal Radio Commission, Department of Agriculture, National Association of Broadcasters, National Committee on Education by Radio, National Advisory Council on Radio in Education, American Council on Education, National Broadcasting Company, and the Columbia Broadcasting System participated.

Supplementing the work of the classroom teacher, broadcasting widens the intellectual horizons of children by bringing outstanding world events into the classroom, permitting children to receive occasional instruction of master teachers in almost every subject taught in the school, the study points out.

Copies of the volume may be obtained from the International Institute of Intellectual Cooperation, 2 Rue de Montpensier, Paris, France. The cost is $2 per volume.

MICHIGAN WOULD ADVERTISE LIQUORS

S. 101, which has passed the Michigan Senate, was favorably reported by the Liquor Traffic Committee of the House on May 10, 1933. The bill proposes to repeal Section 9203, which prohibits advertising intoxicating liquor in Michigan.

STATION OWNERS ARE MANUFACTURERS

"Publishers of books, periodicals and/or newspapers and owners and operators of radio stations shall be deemed to be manufacturers and not retail merchants, for the purposes of this act.", according to a provision of House Bill No. 184 in the Michigan Legislature. The bill, known as the "Privilege Tax," was on May 10th made the special order of business for May 16, 1933, after having been reported favorably by the General Taxation Committee. Retail merchants are subject to a tax of three per cent of the gross proceeds of sales of the business, whereas manufacturers are taxed at three-tenths of one per cent of the value of the articles manufactured.

VOTING ON STANDARD ORDER FORM

The Managing Director recently submitted to the NAB Board for approval the Standard Order Blank for Spot Broadcasting developed by the NAB Commercial Committee and the AAAA Radio Committee. The Board, in approving the form last February, made several modifications, to which the AAAA failed to agree. Several compromise provisions were submitted and the Board has now been requested to vote upon the blank in its amended form.

INDUSTRIAL CONTROL BILL READY

A so-called industrial control bill will be sent to Congress next week by President Roosevelt. It will be in the nature of a rider to the three billion dollar federal construction bill, and is considered the most important industrial legislation undertaken since the organization of the War Industries Board during the World War.

Details of the bill are not officially available at the time of writing but the understanding is that the various industries will be reached through their trade associations and in order to unite in their efforts some modification of the Sherman Laws will be allowed, all to be supervised by the government.

What the President is pleased to term the 10 per cent recalcitrant members of the various industries will be dealt with by the government and driven into line.

At the present time it is believed that there will be a board in control of the administration of the law to be composed of perhaps four members of the Cabinet, which would undoubtedly include the Secretaries of Commerce and Labor at least. In addition there will be a Director or Administrator who will have active charge of the administrative work. A number of leading industrialists have been mentioned for this post. Industries of the country are watching this legislation with the greatest interest and concern, because of its wide reaching possibiliies.

TRADE GROUPS AND THE "NEW DEAL"

Regulation of industry through trade associations has become an important part of the Roosevelt administration program for general business recovery. The new administration is leaning heavily upon trade groups, and trade associations will grow more important than ever before. They will form the nucleus of the emergency plan. Each industry, familiar with its own conditions, will have an opportunity to draft its ideas of self regulation.

"It is wholly wrong to call the measures that we have taken, government control of farming, control of industry, and control of transportation," President Roosevelt said in his radio address of May 7. "It is rather a partnership between the government and farming and industry and transportation, not partnership in profits, for the profits would still go to the citizens, but rather a partnership in planning and partnership to see that the plans are carried out.

"Let me illustrate with an example. Take the cotton-goods industry. It is probably true that 90 per cent of the cotton manufacturers would agree to eliminate starvation wages, would agree to stop long hours of employment, would agree to stop child labor, would agree to prevent an overproduction that would result in unsalable surpluses. But, what good is such an agreement if the other 10 per cent of cotton manufacturers pay starvation wages, require long hours, employ children in their mills, and turn out burdensome surpluses The unfair 10 per cent could produce goods so cheaply that the fair 90 per cent would be compelled to meet the unfair conditions.

"Here is where the government comes in. Government ought to have the right and will have the right, after surveying and planning for an industry, to prevent, with the assistance of the overwhelming majority of that industry, unfair practice and to enforce this agreement by the authority of Government."

In no other field is organization and planning more important than in broadcasting. But little in a constructive way can be accomplished if broadcasters continue to refuse to join the only trade association in their field.

AUSTRALIAN BROADCASTING DEVELOPS

Broad developments in several phases of the radio industry in Australia have just been reported to the Electrical Equipment Division of the Commerce Department by Assistant Trade Commissioner H. P. Van Blarcom of the Department's Sydney office.

These developments not only are in the field of broadcasting and commercial advertising, but include aids to navigation and developments which are expected to result in smoother working arrangement between musicians and broadcasting companies.

In the field of radio broadcasting, developments include chain broadcasting, radio shows, the appointment of a new general manager of the broadcasting commission, the provision of special fees for broadcast soloists, and the acquisition of a broadcasting station by a newspaper.

A network of special lines for chain broadcasts, installed at a cost of £170,000 and extending 2,600 miles, connects the principal stations of Sydney, Melbourne, Adelaide and Brisbane. It is planned to add 1,630 miles to this network to connect the principal station at Perth. In the last six months of 1932, 434 chain programs were broadcast.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Tuesday, May 16, 1933

NEW—Charles W. Phelan, t/r as Casco Bay Broadcasting Co., Portland, Me.—Construction permit, **1340 kc.**, 500 watts, unlimited time.

NEW—Portland, Maine, Publishing Co., Portland, Me.—Construction permit, **1340 kc.**, 500 watts, unlimited time.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit, **1340 kc.**, 1 KW, specified hours (present assignment **1370 kc.**, 100 watts, specified hours).

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of construction permit, **1340 kc.**, 500 watts, unlimited time (present time **1430 kc.**, 500 watts, unlimited time).

WRDO—WRDO, Inc., Augusta, Me.—Construction permit to move station to Portland, Me., **1370 kc.**, 100 watts, unlimited time.

TENTATIVE HEARING CALENDAR

(Dates shown are tentative and subject to change)

May 18, 1933

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to increase day power from 50 watts to 100 watts.

May 23, 1933

WINS—American Radio News Corporation, New York, N. Y.—Modification of license to increase power from 500 watts to 1 KW, **1180 kc.**, limited time.

May 24, 1933, before Commission en banc

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit to use 50 KW, **710 kc.**

May 24, 1933

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Modification of license to change hours of operation.

WLB-WGMS—University of Minnesota, Minneapolis, Minn.—Modification of license to change hours of operation, and renewal of license.

WCAL—St. Olaf College, Northfield, Minn.—Construction permit to increase daytime power, **1250 kc.**

May 26, 1933

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to change hours of operation.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license and construction permit to move transmitter to East St. Louis.

May 31, 1933, before Commission en banc

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Modification of license to use 1 KW, unlimited time, on **620 kc.**

KVOA—Robert M. Riculfi, Tucson, Ariz.—Renewal of license, and voluntary assignment of license, 500 watts, **1260 kc.**

KGIX—J. M. Heatch, Las Vegas, Nev.—Construction permit to move station locally and construct new transmitter, and renewal of license.

May 31, 1933

WPRO-WPAW—Cherry and Webb Broadcasting Co., Providence, R. I.—Modification of license to use **630 kc.**, 250 watts, unlimited time.

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to use **1330 kc.**, 1 KW, unlimited time.

June 1, 1933

WMBG—Havens & Martin, Richmond, Va.—Construction permit to increase day power from 100 watts to 250 watts, **1210 kc.**, and increase hours of operation.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license, **1210 kc.**, 100 watts, 250 watts until local sunset, unlimited time.

June 2, 1933

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase day power from 500 watts to 1 KW, **890 kc.**

June 5, 1933

WBMS—New Jersey Broadcasting Corp., Hackensack, N. J.—Involuntary assignment of license.

WHOM—New Jersey Broadcasting Corp., Jersey City. N. J.—Modification of license to acquire unlimited time on **1450 kc.** (facilities of WBMS).

NEW—Radio Investment Co., Inc., Newark, N. J.—Construction permit, 250 watts, **1450 kc.**, share with WHOM (facilities of WBMS).

WBMS—WBMS Broadcasting Corp., Hackensack, N. J.—Renewal of license.

June 7, 1933

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit to change frequency from **900 kc.** to **890 kc.**, 250 watts, 500 watts until local sunset, unlimited time; also modification of license.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification of license to change frequency from **1340 kc.** to **890 kc.**, 1 KW, unlimited time.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.**, 500 watts, unlimited time.

June 9, 1933

WTAG—Worcester Telegram Publishing Co., Worcester, Mass.—Modification of license to use 500 watts, **580 kc.**, unlimited time.

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to use **580 kc.**, 500 watts, unlimited time.

June 12, 1933

The hearing involving applications of KECA, KFBK, and the Don Lee Broadcasting System for facilities of KTM and KELW, and the applications of KTM and KELW for voluntary assignments of licenses and for renewals of licenses will be held June 12.

June 15, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time.

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal of license, **1420 kc.**, 100 watts, unlimited time.

June 16, 1933

KGEK—Elmer G. Beehler, t/a Beehler Electrical Equipment Co., Yuma, Colo.—Construction permit to move transmitter to Fort Collins, **1200 kc.**, 100 watts, specified hours.

June 19, 1933

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power to 1 KW experimentally, **610 kc.**

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

June 20, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to use 500 watts on **600 kc.**, unlimited time.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to use **600 kc.**, 500 watts, 500 watts additional experimentally until local sunset.

June 21, 1933

WABI—First Universalist Society of Bangor, Bangor, Me.—Modification of license to use **1200 kc.**, 100 watts, unlimited time.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to use 1 KW, **830 kc.**, unlimited time.

June 21, 1933, before Commission en banc

KWKH—Hello World Broadcasting Corp., Shreveport, La.—Oral argument in re Examiner's Report No. 470; one hour each for WWL, International Broadcasting Corp., National Union Indemnity Assn., WSPA, and KWKH.

June 22, 1933

NEW—Raymond M. Brannon, Fremont, Nebr.—Construction permit for new station to use **1500 kc.**, 100 watts daytime (facilities of KFOR).

KFOR—Howard A. Shuman, Lincoln, Nebr.—Renewal of license, and voluntary assignment of license to Cornbelt Broadcasting Corporation (**1210 kc.**, 100 watts, 250 watts until local sunset, unlimited time).

June 23, 1933

WJJD—WJJD, Inc., Mooseheart, Ill.—Renewal of license.

KGBX—KGBX, Inc., Springfield, Mo.—Construction permit to use **1340 kc.**, 250 watts, unlimited time (facilities of KGIZ).

KGIZ—Grant City Park Corp., Grant City, Mo.—Renewal of license.

June 26, 1933

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Modification of license to increase day power to 1 KW, **580 kc.**

WRUF—University of Florida, Gainesville, Fla.—Renewal of license, **830 kc.**, 5 KW, limited time.

APPLICATIONS GRANTED

First Zone

WCAC—Connecticut Agricultural College, Storrs, Conn.—Granted authority to operate from 2:30 p. m. to 5 p. m. May 12 and June 3, and 2:30 to 4:30 p. m. May 17.

WSAR—Doughty & Welch Electric Co., Fall River, Mass.—Granted construction permit to make equipment changes reducing maximum rated power from 500 watts to 250 watts.

Second Zone

WJBU—Bucknell University, Lewisburg, Pa.—Granted consent to voluntary assignment of license to Charles S. Blue.

WJBU—Charles S. Blue, Lewisburg, Pa.—Granted construction permit to move transmitter and studio from Lewisburg to Sunbury, Pa.

WRAK—WRAK, Inc., Williamsport, Pa.—Granted modification of license to change time from sharing with WJEQ to unlimited (facilities of WJEQ).

NEW—Leo J. Omelian, Erie, Pa.—Granted construction permit for new station to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited time (facilities of WERE).

WRBX—Richmond Development Corp., Roanoke, Va.—Granted renewal of license, **1410 kc.**, 250 watts, shares with WHIS.

Third Zone

WKEU—Allen Wright Marshall, Sr. & Jr., and Guy Aaron Malcolm, La Grange, Ga.—Granted modification of construction permit extending completion date from May 20 to August 20, 1933.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted 30-day authority to reduce power to 175 watts.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted authority to operate Friday, May 19, 10:15 p. m. to 2 a. m. simultaneously with KPO.

Fourth Zone

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authority to operate unlimited time from June 4 to June 10, inclusive.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate 9:30 to 10 p. m. May 20 and 27, June 3, 10, 17 and 24, 1933.

WOC-WHO—Central Broadcasting Co., Des Moines, Iowa—Granted license combining stations WOC-WHO, increasing power to 50 KW, unlimited time, on **1000 kc.**

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Granted modification of construction permit extending commencement and completion dates.

WJJD—WJJD, Inc., Mooseheart, Ill.—Granted authority to begin operation at 5:30 a. m. CST, during period daylight savings time applies.

WOI—Iowa State College, Ames, Iowa—Granted authority to suspend operation May 30 and July 4.

Fifth Zone

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Granted modification of license to increase hours of operation from sharing with KGEF (deleted) to unlimited.

KBPS—Benson Polytechnic School, Portland, Ore.—Granted authority to discontinue operation May 26 to Sept. 12, 1933, during regular school vacation.

APPLICATIONS SET FOR HEARING

NEW—Hager & Hunter, Owatonna, Minn.—Construction permit for new station, **1310 kc.**, 100 watts, daytime.

NEW—R. D. Duboise and T. R. Putnam, d/b as the Pima Broadcasting Co., Tucson, Ariz.—Construction permit for new station, **1260 kc.**, 500 watts, specified hours (facilities of KVOA).

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass.—Modification of license to increase power from 25 KW to 50 KW.

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to increase power from 50 to 100 watts.

WCAL—St. Olaf College, Northfield, Minn.—Modification of license to operate from 7 to 8 p. m., CST, Sundays only in addition to present specified hours.

WAMC—Raymond C. Hammett, Anniston, Ala.—Construction permit to move transmitter to a location to be determined in Muscle Shoals from Anniston.

MISCELLANEOUS COMMISSION ACTION

KGGC—Golden Gate Broadcasting Co., San Francisco, Calif.—Denied special authority to use certain specified hours.

NEW—Wilmington Broadcasting Co., Wilmington, N. C.—Denied construction permit for **1370 kc.**, 100 watts (facilities of WRAM).

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Denied construction permit for **1240 kc.**, 250 watts, half time with WKAQ.

KFOR—Howard A. Shuman, Licensee, Lincoln, Nebr.—Granted petition withdrawing his protest against voluntary assignment of this license to the Cornbelt Broadcasting Corp.

WGN—WGN, Inc., Chicago, Ill.—Hearing continued on application for increase in power from 25 KW to 50 KW. Case to be heard at a time to be decided on by Commission.

APPLICATIONS RECEIVED

First Zone

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Modification of license to change hours of operation amended to request unlimited time (facilities of WBBC, WFOX and WLTH).

WEVD—Debs Memorial Radio Fund, Inc., N. Y.—Modification of license to increase power from 500 watts to 1 KW.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit to install new transmitter and increase power to 50 KW to extend commencement and completion dates.

WMBO—WMBO, Inc., Auburn, N. Y.—License to cover construction permit to rebuild station changing transmitter site locally.

Second Zone

NEW—Nicholas Kuris, Muskegon, Mich.—Construction permit for new station, **1200 kc.**, 100 watts, daytime.

WJAC—Johnstown Automobile Co., Johnstown, Pa.—Voluntary assignment of license to WJAC, Inc.

Third Zone

KOCW—J. T. Griffin, Chickasha, Okla.—Modification of construction permit to change location from Chickasha to Tulsa, Okla., and change equipment.

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Modification of construction permit to change equipment.

KGHI—Loyd Judd Co., Little Rock, Ark.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day, amended as to equipment.

WHBQ—Broadcasting Station WHBQ, Inc., Memphis, Tenn.—License to cover construction permit, as modified, to move transmitter locally.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—License to cover construction permit to make changes in equipment.

Fourth Zone

WOW—Woodmen of the World Life Insurance Association, Omaha, Nebr.—Modification of license to change hours of operation from sharing with WCAJ to unlimited time (facilities of WCAJ).

Fifth Zone

NEW—Herbert Le Roy Coburn, Yakima, Wash.—Construction permit for new station, **1240 kc.**, 500 watts, unlimited time.

NEW—Eastern Oregon Broadcasting Company, Inc., La Grande, Ore.—Construction permit for new station, **1500 kc.**, 100 watts night, 250 watts day, amended to change transmitter location.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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FOOD AND DRUGS LAW PROPOSALS

A proposed draft revising the present Food and Drugs Act was completed this week and submitted to the Department of Justice for review, it was announced by Assistant Secretary of Agriculture R. G. Tugwell.

The most important provision in the proposed draft is the expansion of the Act to include cosmetics and to regulate advertising of foods, drugs, and cosmetics.

The new draft does not propose censorship of advertising in advance of its use. However, under its provisions false advertising may be penalized by prosecution in the federal courts. Prosecution for false advertising will be directed against the source rather than against the medium in which it appears. This will put the responsibility for truthful advertising squarely upon the manufacturer, distributor. or dealer.

The truth or falsity of advertising will be measured essentially by the same standards as those employed to determine the truth or falsity of label statements.

The restrictions against adulterations have been strengthened, particularly in those instances where the public health is concerned. The requirements in regard to labeling have been broadened by the deletion of "jokers" in the present law and by providing for sufficiently full information so that purchasers may know just what they are buying.

When traffic in foods, drugs or cosmetics of any kind may be inherently harmful to public health and cannot be adequately controlled by the other provisions of the bill, the Secretary is authorized to place the manufacturers of such commodities under a license requiring the maintenance of sufficient safeguards.

A provision in the new bill authorizes the Secretary to establish food standards having the force and effect of law. The absence of such a provision in the present law, except for the limited field of canned foods, has seriously impaired the effectiveness of control and made enforcement more expensive.

The new bill defines as drugs, mechanical devices intended for the treatment of disease. It also regulates preparations and devices recommended for the correction of abnormal physical conditions which are not, strictly speaking, diseases.

EUROPEAN RADIO CONFERENCE

A conference of the governments of the European region was scheduled to convene at Lucerne, Switzerland, May 15, 1933, to assign frequencies to various European broadcasting stations.

An attempt will be made to provide additional frequency assignments to European broadcasting stations, as provided by Article 7, Section 1, of the General Radiocommunication Regulations of Madrid. The European broadcasting organization, Union Internationale Radiodiffusion, has prepared an extensive study of present conditions in Europe, and has formulated a plan whereby conditions may be improved by assignment of frequencies to broadcasting stations outside the portions of the spectrum set aside for such use at the Madrid conference, on a non-interfering basis. European broadcasting enjoys the use of low frequencies (less than 550 kc.) and the U. I. R. recommends further use of low frequencies for broadcasting purposes. It is possible that action contemplated or taken by the conference will occasion differences of opinion as to whether interference actually will result to other services.

In view of the desirability of basing all communications, and particularly protests, of the United States Government, relating to the conference upon sound technical and engineering considerations, the State Department has requested the Federal Radio Commission to set up a committee of interested agencies to make recommendations with respect to action that might be taken by the United States Government. The Federal Radio Commission has invited interested parties to attend a meeting to be held Monday, May 22. The National Association of Broadcasters will be represented in the conference called by the Federal Radio Commission, as in conferences concerning the forthcoming North American Regional Conference at Mexico City, by James W. Baldwin.

Broadcasting interests in the United States are, of course, not affected directly by the European conference. The possibility exists, however, that a precedent may be set whereby broadcasting stations may secure frequency assignments closer to frequencies allocated to marine traffic with ships at sea. American shipping interests and the Army and Navy, known collectively as the "Mobile Group," are expected to follow the European conference deliberations closely in view of the similarity of the European problem to that which exists in North America.

NORWAY TAKES OVER BROADCASTING

Broadcasting in Norway is to be organized as a strictly government activity both as to technical phases and programs, according to the Electrical Equipment Division of the Bureau of Foreign and Domestic Commerce of the Department of Commerce. The government is to take over the present broadcasting companies; the telegraph department is to be responsible for the technical construction and operation; administrative functions are to be directed by the department of trade; and the strictly program activities by the department of church and education.

The first broadcasting station in Norway was completed in 1924. Most of the existing stations are owned by the Oslo Radio Broadcasting Corporation, and the few independently owned stations cooperate closely with the corporation. For several years there have been attempts at joint government and private control and studies and revisions of numerous proposals, and in January, 1933, a final plan was adopted. It is expected that government operation will start July 1, 1933.

STATE TAXATION LEGISLATION

Nineteen thirty-three legislation has produced several innovations in taxation. Some of these are almost impossible to classify as they cut across several fields of taxation. The so-called "Sales Tax" is one of these mixed taxes. Such taxes range from graduated taxes on gross sales, aimed primarily at the chain store, to a tax on all gross income which is very close to a net income tax. Usually the term "Sales Tax" describes a tax based solely on the sale of property. The term "Gross Income Tax" is used to describe a tax based on income and not limited to sales. This latter tax is often a sales tax plus a tax on income from other sources.

The importance of these taxes can be seen from the following list of states which now have either sales taxes or gross income taxes which apply to sales.

Arizona (gross income)
Connecticut (unincorporated sales tax)
Delaware (sales tax)
Illinois (sales tax)
Indiana (gross income)
Kentucky (sales tax)
Mississippi (gross income)
New Mexico (sales tax)
New York (sales tax)
North Carolina (sales tax)
North Dakota (gross income)
Oklahoma (sales tax)
Oregon (gross income-referendum)
South Dakota (gross income)
Utah (sales tax)
Vermont (sales tax)
Virginia (gross purchases)
Washington (gross income)
West Virginia (gross income)

Illinois is listed above because it seems certain that a new sales tax will soon be passed to meet the objections which the Supreme Court of the State found in declaring the recent enactment unconstitutional.

Only twelve State Legislatures remain in session out of the forty-five that convened this year.

MICHIGAN BILL TO GOVERNOR

The Michigan bill, S. 101, which would legalize the advertising of intoxicating liquors, has passed both houses and went to the Governor on May 16, 1933.

S. C. IN LINE TO ADVERTISE LIQUORS

Mr. Hammond's amendment in the South Carolina Senate to H. 931 was adopted May 11, 1933, as follows: "It shall be lawful for newspapers, bill boards, radio broadcasts, and all other mediums of advertising to carry advertisements of Beer, Ales, Wines, and any and all beverages permitted by law for sale in South Carolina."

PENNSYLVANIA AUTO BILL DEAD

The adjournment of the Pennsylvania Legislature marked the death of several bills which would have affected the radio industry directly or indirectly. One bill that never got beyond the committee stage was H. 1391, which would have made it illegal to drive an automobile while there was being operated or played in such vehicle a radio or radio receiving instrument.

ILLINOIS SALES TAX UNCONSTITUTIONAL

The recent decision of the Supreme Court of Illinois in declaring the Illinois Sales Tax unconstitutional is of general interest to all industries for the reason that it is an outstanding example of the exercise of the judicial curb on the legislative and executive branches in our prevailing system of constitutional governments. The Federal Constitution and all State Constitutions have what are known as equal protection clauses designed to prevent discrimination in taxation.

The Illinois law imposed a tax of three per cent of the gross cash receipts from sales, upon all persons engaged in the business of selling tangible personal property at retail; but provided that "tangible personal property" does not mean or include farm products or farm produce sold by the producer thereof or motor fuel as defined in the Motor Fuel Tax Law.

The Supreme Court said, "The legislature has no power to, by legislative enactment, declare that not to be a fact which every one knows is a fact . . . "; and that, "The language quoted does not and cannot mean that farm products or farm produce or motor fuel are not in fact tangible property, for it is a universally known fact that they are such."

The Court found there was no basis for the exclusion of farm produce and motor fuel from the operation of the act, and so the act violated the uniform requirements of the Constitution.

100,000 WATTS IN ENGLAND

The British Broadcasting Corporation has secured a site for a new "super" radio broadcast station to replace the Daventry 5XX transmitter, according to the Commerce Department. The site is about three miles northeast of Droitwich.

This station, powered at 100,000 watts, is expected to service the entire British Isles. It will have one long-wave transmitter for national programs, and a high-powered medium wave for regional programs to replace the Midland regional transmitter 5GB. The Midland station was built experimentally in 1927 and does not contain many of the modifications which have been developed since that time.

Radio engineers anticipate better quality broadcasting and less interference from the new station. The new long-wave transmitter is expected to be in operation by the summer of 1934.

AMENDMENT FOR JUDGE SYKES

Senator Stephens of Mississippi has introduced an amendment to the Independent Offices appropriation bill, now pending in the Senate, that so much of the unexpended balance of the appropriation for the Madrid radio conference as is needed shall be used to pay the salary of Judge Sykes, chairman of the Radio Commission, for the period from February 23 to March 20 of this year. During this time Judge Sykes was not a member of the Commission because his nomination had not been sent to the Senate. It was later held up for some days before finally acted on.

GOVERNMENT REORGANIZATION

President Roosevelt departed on a river cruise today with Director of the Budget Douglas and will remain over Sunday. They will discuss the question of government reorganization and it is probable that they will make a final decision which may be made public next week. This includes the question of whether the Radio Commission will remain a separate entity or whether it will be under the Department of Commerce.

It has been stated in apparently authentic circles that a separate executive order has been drawn up regarding the moving of the Commission to the Department of Commerce so that it can be withdrawn if there is too much opposition. It is still uncertain just what will happen to the Commission.

RECOMMENDS NEW STATION

Copper Electric Company, Inc., filed application with the Commission asking for construction permit for new station at Lowell, Ariz., to use 1200 kilocycles, 100 watts power, daytime operation (Report No. 481, Hyde, e.). Recommends that application be granted.

It is pointed out by the Examiner in his report that the applicant has the necessary ability and financial resources to construct and operate a broadcast station. Also that the community is not served with dependable daytime broadcasting and that "no interference of an objectionable character would be caused by the operation of the proposed station."

RECOMMENDS NEW STATION

Herman Radner and Capital City Broadcasting Company both filed applications with the Commission asking for a construction permit for a new station at Lansing, Mich., to use 1210 kilocycles (Report No. 479, Pratt, e.). Recommends application be granted to Capital City Broadcasting Company and denied to Herman Radner.

The Examiner found that Lansing and vicinity do not receive good broadcasting service and that no interference would be created on the frequency asked. The State of Michigan and Second Zone are both under quota and both applicants are qualified to construct and operate a station.

It is pointed out by the Examiner that Mr. Radner is not a resident of the city of Lansing, while the Broadcasting Company is composed of citizens of the city, and he states that "other things being equal it is to the best interests of a community that the application of the applicant most familiar with local needs be granted." The Broadcasting Company, says the Examiner, can render a more extensive service to a larger number of listeners because of its 250 watt application as opposed to 100 watts by Mr. Radner. Also the Broadcasting Company has made more definite arrangements for programs, talent, etc., and it is more closely related to publicity and advertising mediums than Mr. Radner.

RADIO EMPLOYMENT RISES

Employment in the radio industry increased from 61 in March to 67.2 in April compared with 57.3 in April of last year, taking 1926 at 100, according to the Bureau of Labor Statistics, Department of Labor.

Pay rolls in the radio industry in April were 50.5 compared with 42 in March and 46.3 in April of last year.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

May 22, 1933

NEW—W. L. Gleeson, Monterey, Calif.—Construction permit for 100 watt station, **1210 kc.**, unlimited time; also construction permit for 5 KW station, **1490 kc.**, unlimited time.

May 24, 1933, before Commission en banc

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit to change transmitter location to near Tremley, N. J., 50 KW, **710 kc.** (Southern Radio Corporation, protestant).

May 24, 1933

WKAV—Laconia Radio Club, Laconia, N. H.—Renewal of license, **1310 kc.**, 100 watts, specified hours.

May 26, 1933

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to increase hours (requests facilities of WTAD).

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license, 500 watts, **1440 kc.** (shares with WMBD), also construction permit to move to East St. Louis, Ill.

TENTATIVE HEARING CALENDAR

(Dates subject to change)

May 31, 1933, before Commission en banc

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Modification of license to use 1 KW, unlimited time, on **620 kc.**

KVOA—Robert M. Riculfi, Tucson, Ariz.—Renewal of license, and voluntary assignment of license, 500 watts, **1260 kc.**

KGIX—J. M. Heatch, Las Vegas, Nev.—Construction permit to move station locally and construct new transmitter, and renewal of license.

May 31, 1933

WPRO-WPAW—Cherry and Webb Broadcasting Co., Providence, R. I.—Modification of license to use **630 kc.**, 250 watts, unlimited time.

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to use **1330 kc.**, 1 KW, unlimited time.

June 1, 1933

WMBG—Havens & Martin, Richmond, Va.—Construction permit to increase day power from 100 watts to 250 watts, **1210 kc.**, and increase hours of operation.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license, **1210 kc.**, 100 watts, 250 watts until local sunset, unlimited time.

June 2, 1933

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase day power from 500 watts to 1 KW, **890 kc.**

June 5, 1933

WBMS—New Jersey Broadcasting Corp., Hackensack, N. J.—Involuntary assignment of license.

WHOM—New Jersey Broadcasting Corp., Jersey City. N. J.—Modification of license to acquire unlimited time on **1450 kc.** (facilities of WBMS).

NEW—Radio Investment Co., Inc., Newark, N. J.—Construction permit, 250 watts, **1450 kc.**, share with WHOM (facilities of WBMS).

WBMS—WBMS Broadcasting Corp., Hackensack, N. J.—Renewal of license.

June 7, 1933

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit to change frequency from **900 kc.** to **890 kc.**, 250 watts, 500 watts until local sunset, unlimited time; also modification of license.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification of license to change frequency from **1340 kc.** to **890 kc.**, 1 KW, unlimited time.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.**, 500 watts, unlimited time.

June 9, 1933

WTAG—Worcester Telegram Publishing Co., Worcester, Mass.—Modification of license to use 500 watts, **580 kc.**, unlimited time.

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to use **580 kc.**, 500 watts, unlimited time.

June 12, 1933

The hearing involving the applications of KECA, KFBK, and the Don Lee Broadcasting System for facilities of KTM and KELW, and the applications of KTM and KELW for voluntary assignments of licenses and for renewals of licenses will be held June 12.

June 15, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time.

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal of license, **1420 kc.**, 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Maine—Construction permit for new station, **640 kc.**, 500 watts, limited time.

June 16, 1933

KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Renewal of license, **1290 kc.**, 50 watts, daytime.

KGEK—Elmer G. Beehler, t/a Beehler Electrical Equipment Co., Yuma, Colo.—Construction permit to move transmitter to Fort Collins, **1200 kc.**, 100 watts, specified hours.

June 19, 1933

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power to 1 KW experimentally, **610 kc.**

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

June 20, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to use 500 watts on **600 kc.**, unlimited time.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to use 500 watts night power experimentally.

June 21, 1933

WABI—First Universalist Society of Bangor, Maine—Modification of license to use **1200 kc.**, 100 watts, unlimited time.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to 1 KW, **830 kc.**, unlimited time.

June 21, 1933, before Commission en banc

KWKH—Hello World Broadcasting Corp., Shreveport, La.—Oral argument in re Examiner's Report No. 470; one hour each for WWL, International Broadcasting Corp., National Union Indemnity Assn., WSPA, and KWKH.

June 22, 1933

NEW—Raymond M. Brannon, Fremont, Nebr.—Construction permit for new station to use **1500 kc.**, 100 watts, daytime (facilities of KFOR).

KFOR—Howard A. Shuman, Lincoln, Nebr.—Renewal of license, and voluntary assignment of license to Cornbelt Broadcasting Corporation, **1210 kc.**, 100 watts, 250 watts until local sunset, unlimited time.

June 23, 1933

WJJD—WJJD, Inc., Mooseheart, Ill.—Renewal of license.

KGBX—KGBX, Inc., Springfield, Mo.—Construction permit to use **1340 kc.**, 250 watts, unlimited time (facilities of KGIZ).

KGIZ—Grant City Park Corp., Grant City, Mo.—Renewal of license.

June 26, 1933

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Modification of license to increase day power to 1 KW, **580 kc.**

WRUF—University of Florida, Gainesville, Fla.—Renewal of license, **830 kc.**, 5 KW, limited time.

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to increase power from 50 watts to 100 watts, **1210 kc.**, specified hours.

June 27, 1933

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Modification of license to increase hours, **1250 kc.**, 1 KW.

WLB—University of Minnesota, Minneapolis, Minn.—Modification of license to increase hours, **1250 kc.**, 1 KW.

WCAL—St. Olaf College, Northfield, Minn.—Construction permit to increase power from 1 KW to 1 KW night, 2½ KW day, and modification of license to increase hours.

NEW—Hager and Hunter, Owatonna, Minn.—Construction permit, **1310 kc.**, 100 watts, daytime.

APPLICATIONS GRANTED

First Zone

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted modification of construction permit extending completion date to June 10, 1933.

NEW—Juan Piza. San Juan, P. R.—Granted construction permit for new station to operate on **1290 kc.**, 500 watts, unlimited time.

Second Zone

WFDF—Flint Broadcasting Co., Flint, Mich.—Granted renewal of license, **1310 kc.**, 100 watts, unlimited time.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted renewal of license, **1310 kc.**, 50 watts, unlimited time.

Third Zone

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted modification of license to increase hours of operation from specified hours to unlimited time.

KGHI—Loyd Judd Company, Little Rock, Ark.—Granted construction permit to make changes in equipment and increase day power from 100 to 250 watts, on **1200 kc.**, unlimited time.

Fourth Zone

WCAT—South Dakota School of Mines, Rapid City, S. Dak.—Granted authority to discontinue operation from June 2 to Sept. 10, 1933, during regular summer vacation.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate from 3:30 to 6 p. m., CST, May 19, 20, 29, 30, 31; June 1, 2, 3, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23 and 24, 1933, and from 2:30 to 6:15 p. m., May 21, June 4, 18, and 25.

APPLICATIONS RECEIVED

First Zone

WSYR-WMAC—Central New York Broadcasting Corp., Syracuse, N. Y.—Construction permit to change transmitter site locally, install new transmitter, and increase power from 250 to 500 watts.

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase power from 250 watts night, 500 watts day, to 500 watts.

Second Zone

WORK—York Broadcasting Company, York, Pa.—Modification of license to change from 1 KW daytime to 250 watts night, 1 KW day.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—License to cover construction permit for changes in equipment.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to make changes in equipment and increase power from 50 to 100 watts.

Third Zone

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—License to cover construction permit to move station from Knoxville to Greenville, install new transmitter, and increase power to 100 watts night, 250 watts day, and change hours of operation to unlimited.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Modification of construction permit to install new equipment and increase power to 25 KW, to extend date of completion to September 17, 1933.

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Modification of license to change hours of operation from simultaneous day, share with WSFA night, to unlimited time, and change frequency from **1410 kc.** to **1380 kc.**

WJBY—J. L. Aders, Gadsden, Ala.—Consent to involuntary assignment of license from Gadsden Broadcasting Co., Inc.; also construction permit to move transmitter locally and to move main studio locally.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Construction permit to change transmitter location locally, and change power frequency and hours from **1200 kc.**, 100 watts, unlimited time, to **590 kc.**, 250 watts, specified hours, and change equipment.

Fourth Zone

KGDY—Voice of South Dakota, Inc., Huron, S. Dak.—Modification of construction permit to extend completion date to 8-21-33.

WGES—Oak Leaves Broadcasting System, Inc., Chicago, Ill.—Modification of license to change hours of operation from shares WJKS to specified hours (9 a. m. to 1 p. m. and 6 p. m. to 10 p. m.).

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Modification of construction permit to move transmitter locally to change authorized transmitter location.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit to move transmitter from Addison, Ill., to 3.5 miles south Downer's Grove, Ill., install new transmitter, and increase power from 5 KW to 50 KW.

KSO—Iowa Broadcasting Co., Des Moines, Iowa—Construction permit to install new transmitter at site to be determined, increase power from 100 watts night, 250 watts day, to 250 watts night, 500 watts day, and change frequency from **1370 kc.** to **1120 kc.** (facilities of WIAS, Ottumwa, Iowa).

Fifth Zone

KROW—Educational Broadcasting Corp., Oakland, Calif.—Construction permit to install new transmitter.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.** amended to request increase in power from 500 watts to 500 watts night, 1 KW day.

KGEK—Elmer G. Beehler, t/a Beehler Electrical Equipment Co., Yuma, Colo.—Modification of license to change name of licensee to Elmer G. Beehler, and change specified hours.

KIFH—P. H. Pigg and S. A. Harvey, d/b as Juneau Broadcasting Co., Juneau, Alaska—Modification of construction permit to extend completion date.

KIEM—Harold H. Hanseth, Eureka, Calif.—License to cover construction permit for new station, **1210 kc.**, 100 watts, day.

APPLICATIONS SET FOR HEARING

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. Modification of license to change studio location from 435 Pine Ave., Long Beach, to 605 S. Broadway, Los Angeles.

WARD (formerly WCGU)—United States Broadcasting Corp., Brooklyn, N. Y.—Modification of license to change hours of operation from sharing with WFOX, WLTH and WBBC to unlimited time.

MISCELLANEOUS COMMISSION ACTION

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Dismissed, at request of applicant, application for modification of license for **1370 kc.**, 100 watts, 50 watts LS.

KTM—Pickwick Broadcasting Corp., Ltd., Los Angeles, Calif.—Granted permission to take certain depositions in Los Angeles on May 29, in re application for renewal of license and voluntary assignment of license.

WIL—Missouri Broadcasting Corp., St. Louis, Mo.—Granted permission to intervene in the application of the Illinois Broadcasting Corp., Station WTAD, for permission to move to East St. Louis, Ill.

Pursuant to the mandate of the Court of Appeals of the District of Columbia affirming the decision of the Commission of May 6, 1933, the following grants were made:

WMCA—Knickerbocker Broadcasting Co., New York City—Granted modification of license for the use of **570 kc.**, 500 watts, sharing with WPCH, effective for regular license period beginning June 5, 1933.

WPCH—Eastern Broadcasters, Inc., New York City—Granted modification of license for the use of **570 kc.**, 500 watts, sharing with WMCA, effective for the regular license period beginning June 5, 1933.

WNYC—Department of Plant and Structures, City of New York, N. Y.—Granted modification of license for use of **810 kc.**, with 500 watts, and daytime hours until sunset at Minneapolis, effective for regular license period.

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Granted special temporary authority to operate with 250 watts for a period not to exceed 10 days, pending repair of generator.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Granted petition for Station KGER of Long Beach to intervene in the application of KFPY to transfer to **890 kc.**, and KGIR to transfer to **1340 kc.**

KGIR—KGIR, Inc., Butte, Mont.—Granted authority to take depositions of 15 witnesses located in Butte on May 22, in re Docket No. 2011.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Granted authority to take depositions of certain witnesses at Salt Lake City on May 20, Idaho Falls on May 22, and Spokane on May 22, in re Docket No. 2008.

KELW—Magnolia Park, Ltd., Burbank, Calif—Granted authority to take depositions of certain witnesses at Burbank, Calif., on May 22 in re Dockets 1957 and 1964.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Granted special authority to operate a 10 watt crystal controlled oscillator on **1340 kc.** between 2 and 7 a. m., May 17 to 25.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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NORTH AMERICAN CONFERENCE JULY 10

The Mexican Government has fixed July 10 as the opening day for the North American Radio Conference to be held at Mexico City. The Department of State in a release dated May 24 said:

"The American Embassy at Mexico City has informed the Department of the receipt of a communication from the Mexican Foreign Office inviting the Government of the United States to attend a North American and Central American Regional Conference to find a concrete solution of the various problems which the development of radio broadcasting has created, particularly between adjacent and neighboring countries. The Conference will open in Mexico City on July 10, 1933. It is the intention of the Government of the United States to accept this invitation. Information concerning the composition of the American delegation will be made public at a later date."

While there is no confirmation concerning the Central American countries invited to attend the Conference at Mexico City, it is assumed that the invitations extended by the Government of Mexico include Costa Rica, Cuba, Guatemala, Honduras, Nicaragua, Panama, and Salvador. Other North American countries invited include Canada and Newfoundland.

REORGANIZATION PLAN NEARLY READY

The plan to reorganize certain government bureaus and commissions will be sent to Congress next week, according to information obtained in informed quarters this week. President Roosevelt now has the plan before him and he has stated officially that the plan will be sent to Congress at least a week before adjournment. Whether or not the Federal Radio Commission will be affected by the reorganization proposal is not officially known at this time.

FEDERAL SECURITIES BILL ENACTED

The Federal Securities Bill has passed both Houses of Congress and now awaits the signature of President Roosevelt.

RECOVERY BILL PASSED BY HOUSE

The National Industrial Recovery Bill was passed by the House Friday, May 26. The bill is based upon the following declaration of policy: "A national emergency productive of widespread unemployment and disorganization of industry, which burdens interstate commerce, affects the public welfare, and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared to be the policy of Congress to remove obstructions to the free flow of interstate commerce which tend to diminish the amount thereof; and to promote the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices; to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and to conserve natural resources." Early action is expected by the Senate.

JUDGE DAVIS ON TRADE COMMISSION

Appointment of Judge Ewin L. Davis, former chairman of the House Merchant Marine, Radio and Fisheries Committee, to the Federal Trade Commission, was confirmed this week by the Senate. Judge Davis is well known among the radio industry and is the author of the Davis Amendment to the Radio Act of 1927. He becomes a member of the Trade Commission at a time when that body has under consideration the proposal to investigate the American Society of Composers, Authors and Publishers.

ASCAP CAMPAIGN AGAINST RESTAURANTS

Reports from broadcasters to Oswald F. Schuette, NAB Director of Copyrights, indicate that the campaign of the American Society of Composers, Authors and Publishers to exact royalties from small restaurants is spreading.

Apparently there is no uniformity in the campaign and the operations are being directed by the local representatives in the ASCAP branch offices according to their individual ideas.

The branch offices of ASCAP that are now engaged in such campaigns include the representatives for the States of Pennsylvania, Delaware, Maryland, Kansas, Oklahoma, and the District of Columbia.

WISCONSIN ORGANIZES AGAINST ASCAP

As part of a plan to resist the royalty exactions of the American Society of Composers, Authors and Publishers, the Public Amusement Protective Association has been organized and incorporated under the laws of the State of Wisconsin with offices at 215 East Washington Street, Appleton, Wis. The announcement of the organization says:

"The Public Amusement Protective Association was formed by a group of proprietors of public amusement places who had sensed the need of correcting many of the abuses which have hampered successful operation of their establishments. No individual proprietor can fight alone the abuses which will unreasonably hamper him in the conduct of his own business. He cannot afford the legal expense necessary to assert his individual rights. It was believed by the organizers that if the amusement proprietors presented solid front in opposition to practices which are unjust or objectionable, progress can be made a secure basis of operation which is at least fair, and above all, reasonable."

Among other things the announcement also says:

"The Association expects to maintain its own musical staff, consisting of composers, revisers and orchestrators. We expect to supply our papers and members with our own music, complete dance programs, with no strings tied to them. The Association will copyright its own and other compositions suitable for the purposes of its members, publish and distribute the same."

MORE ASCAP SONG PLUGGING

Although the ASCAP publishers pretend that the broadcast of their music hurts their compositions, the activity of their "song pluggers" appears to be increasing. A single broadcasting studio in New York reports that in one week, twenty-two of these "publisher's representatives," sent by nineteen firms, made seventy-two visits to that studio.

NEW MUSIC FROM INDEPENDENT FIRM

Evan Georgeoff Publishing Company, 300 Arcade Annex, Cleveland, Ohio, is sending to broadcasting stations a new slow fox-trot, "After the Dance," by George Scolaro and Paul Suran, with this notation:

"All broadcasting stations are authorized to use this composition freely without the payment of additional copyright fees for public performance. Evan Georgeoff Publishing Company."

FILLMORE MUSIC HOUSE JOINS ASCAP

Some time ago the Fillmore Music House, 528 Elm Street, Cincinnati, Ohio, gave broadcasters temporary permission to use its publications over the air. Mr. Schuette has received a letter from this publisher saying:

"This letter is to inform you that we have been definitely accepted as a member in the American Society of Authors, Composers and Publishers. You will recall that in previous correspondence we had given you temporary permission to use our publications over the air. We trust you will govern yourself accordingly."

RULE 151 SUSPENDED

The Commission, on May 23, ruled that Rule 151 be suspended to November 1, 1933, at 3 a. m. The rule reads as follows: "Except

Sundays, the licensee of each broadcast station shall maintain a minimum regular operating schedule of two-thirds of the hours that it is authorized to operate during each broadcast day."

COMMISSION MEETS MAY 31

Because of the holiday May 30, the day for the regular Tuesday Commission meeting, the meeting will be held Wednesday, May 31, at 2:30 p. m.

PETITION FILED IN WIBO CASE

Station WIBO has filed a petition with the Federal Radio Commission alleging that the conduct of Johnson-Kennedy Radio Corporation (WJKS) and of its principal stockholders has been such as to constitute a fraud on the Federal Radio Commission, on the reviewing courts, and on the listening public, both of Indiana and Illinois. WIBO expressed in the petition a willingness to meet to the fullest extent the standards of service to the Calumet district which were approved in the Commission's decision of October 16, 1931. Station WIBO also filed with the Commission an application for construction permit to move its transmitter and studio to a suitable site in Lake County, Indiana.

The Federal Radio Commission has allowed Station WJKS (Gary, Ind.) until June 7 to make reply to the WIBO petition.

WIBO AND WPCC ORDERED CLOSED

The Federal Radio Commission on Friday, May 26, announced receipt of the Mandate of the Court of Appeals of the District of Columbia affirming its decision of October 16, 1931, granting the application of WJKS, which sought the facilities of WIBO and WPCC, and directed the secretary to issue instructions to WIBO and WPCC to cease operation at 3 a. m., CST, June 11, 1933.

DILL COMMENT ON WIBO CASE

Commenting on the decision of the United States Supreme Court in the WIBO case, Senator Dill said: "It is a wonderful decision. It establishes the right of the Commission to change station assignments at will and puts upon all stations the necessity of serving the public or getting off the air. Likewise the decision clearly establishes the fact that Congress is supreme in its power to regulate interstate commerce as it relates to radio and can delegate such powers to the licensing authority it has created. A most important part of the decision," Senator Dill said, "was that it establishes the fact that stations possess no property rights in their channels and exist only by sufferance of Congress from license-renewal to license-renewal so long as they serve the public interest."

DENY CALIFORNIA APPLICATION

The Radio Commission on Friday upheld Report No. 482 of Examiner Elmer W. Pratt by denying a construction permit for the erection of a new broadcasting station at Monterey, Calif., to W. L. Gleeson. Gleeson asked the Commission for a permit to use unlimited time on 1210 kliocycles, 100 watts power, or 5,000 watts on 1490 kilocycles. The application had been denied as in case of default because the applicant failed to appear at a hearing on the date set.

PENNSYLVANIA INSURANCE ADVERTISING

It is up to Governor Pinchot whether broadcasting stations (and other advertising media) will have to be shown a certificate of authority from the Insurance Department before broadcasting insurance advertising. S. 538, which prohibits broadcasting of advertisements of unauthorized insurance companies, passed both houses before adjournment on May 5, 1933. The Governor has thirty days after adjournment to act on bills.

STATION WRUF FLORIDA PROBLEM

The Florida Legislature has a problem on its hands with respect to the State-owned broadcasting station (WRUF) at Gainesville. The Senate Resolution to appoint a committee of five to study the cost of continuing the University Radio Station received a favorable committee report in the House on May 23, 1933.

WISCONSIN RADIOS NEAR EXEMPTION

At least one legislature is close to passing a law putting radio receiving sets in that class of personal property (usually considered necessities) exempt from seizure under attachment proceedings. A. 252, which has passed the Wisconsin Assembly, was favorably reported out of committee to the Senate on May 19, 1933.

PROPOSES NATIONAL RADIO INSTITUTE

In his report to the third annual assembly of the National Advisory Council on Radio in Education, held in New York last week, Levering Tyson, director of the Council, proposed the formation of a national radio institute which would be formed "entirely apart from any organization now in the educational broadcasting field but anticipated cooperation of all."

The institute would have as its sole purpose the "raising of funds for devising and producing under its auspices programs of generally accepted excellence."

Advertising regulation, news broadcasting and educational programs were discussed by Mr. Hector Charlesworth, chairman of the Canadian Radio Broadcasting Commission, before the assembly.

"While in general in our regulations the limitation of advertising to five per cent of the period stands, we have defined this as 'direct advertising' or the straight selling talk," he said. "We have availed ourselves of the discretionary powers left to us in interpreting the statute to permit under certain circumstances 'indirect advertising'—that is to say, a casual allusion to a product or a joke about it. The question of news broadcasts is always a difficult one. We are now in negotiation with Canadian Press, Limited, to which all daily newspapers in Canada belong, to arrange regional news broadcasts for us, and are giving them exclusive privileges in this respect as the surest guarantee of accuracy and service. So far as educational broadcasting is concerned we have arranged for the cooperation of all the chief universities of Canada in a series of broadcasts next autumn and winter embracing not only lectures but intercollegiate debates by picked men. There is one point I have insisted on: that the university lecturers must be good broadcasters as well as scholars."

Expressing the belief that the time for action is here, Commissioner Harold A. Lafount of the Federal Radio Commission suggested a new plan for cooperation between broadcasters and educators.

"Educational programs could, and I believe in the near future will, be broadcast by the Government itself over a few powerful short wave stations and rebroadcast by existing stations," the Commissioner said. "This would not interfere with local occupational programs, and would provide all broadcasters with the finest possible sustaining programs. The whole nation would be taught by one teacher instead of hundreds, and would be thinking together on one subject of national importance. Personally, I believe such a plan would be more effective than a standing army. I do not consider this a step toward government ownership or operation of broadcasting stations."

The Davis Amendment came in for an analytical discussion in the speech by C. M. Jansky, Jr., Washington consulting radio engineer. The amendment, he said "ignores the fundamental fact that the technical requirements for equality of transmission bear no tangible relationship to the requirements for equality of reception. The Act then proceeds to direct the regulatory authority to make as nearly as possible an equal allocation of licenses, frequencies, power and periods of time, first to each zone and then among the States within each zone on the basis of population," he said. "Now, even if such a mathematical distribution were practical from an engineering and economic standpoint, it would not provide anything approaching either the equality of reception or the equality of transmission to both of which the Act says the people are entitled. In short, when examined in the light of fundamental laws of nature which went into effect a good many years ago and have never been repealed, the Davis Amendment is ambiguous and meaningless."

There is an audience for every program, Dr. Herman S. Hettinger, of the University of Pennsylvania, told the group. This is true, he said, "providing the program is technically well constructed and is presented to the segment of the audience for which it is suited. It is the task of the advertiser and educator alike to determine the group which they are most interested in reaching, to study its psychology, and to present a program fitted as closely as possible to the tastes of that group. If they reach additional listeners outside of its circles all well and good. If not, they have still accomplished their purpose." There seems to be a little variation in the listener load over a period of years, or as between different seasons, he said studies revealed.

PROPOSES 10 PER CENT RADIO TAX

A proposal to raise $16,000,000 by taxing the broadcast business was laid before the House Ways and Means Committee on May 10 by Hon. Marion Butler, a North Carolina farmer, during the Committee's consideration of the National Industrial Recovery Bill.

In the plan laid before the Committee, Mr. Butler advocated:

"A tax of 10 per cent upon the gross receipts of commercial broadcasting stations, to include the total amounts paid by the advertiser for the entire broadcast program, entertainment, announcements, etc. It is estimated $100,000,000 is now paid for this service yearly. This tax should yield the government $10,000,000 and should be absorbed within itself. The advertiser should not carry the expense.

"A tax of $10 a watt per annum upon the rated capacity of all broadcasting stations. There are some 600 broadcasting stations in the United States, ranging from 50,000 watts down to 25 watts. The average wattage per station will be found to be approximately 1,000 watts. This information is readily available at the Federal Radio Commission. This tax should yield $6,000,000. Certainly broadcasting stations should bear a tax of some sort."

SYNCHRONIZATION STUDIED

C. B. Aiken, of Bell Telephone Laboratories, describes in the June issue of the magazine *Electronics* a careful theoretical and experimental investigation into the causes and possible cures for bad quality areas found to exist between two synchronized broadcasting stations. The conclusion may be drawn that no practical remedy for the condition exists.

PLAN TO ATTEND NAB MEETINGS

The NAB Engineering Section will hold a meeting at Chicago on Monday, June 26, in connection with the IRE convention, and the NAB Commercial Section will hold a meeting at Grand Rapids, Mich., on Tuesday, June 27, in connection with the AFA convention. Both meetings will commence at 9:30 a. m. Tentative programs for both section meetings have been worked out. The Engineering Section meeting will be devoted exclusively to a discussion of engineering and operating problems and the Commercial Section meeting will be devoted to a round-table discussion of sales and other commercial problems. Plan to attend both sessions. The Century of Progress will be in progress at Chicago and Chicago is a short ride from Grand Rapids.

WJAY LOOKING FOR "RADIO TONY"

G. C. Melrose, manager of Station WJAY, Cleveland, Ohio, wants to know the whereabouts of Radio Tony, otherwise known as John Benton, and Joe Moore who conducted a Prosperity Program over the country, and N. R. Suggs, who is trying to persuade stations to conduct suburban programs. He asks anyone knowing of the whereabouts of these persons to communicate with him at Cleveland, Ohio.

RADIO COMMISSION COST LOW

The appropriation for the Federal Radio Commission, which it appears will be $640,000, is very low in comparison with appropriations for other government departments. The National Committee for Economy in Government and the National Association of Manufacturers of the United States have been publishing a series of very interesting charts analyzing the cost of federal government. Chart No. 7, with a supplement, points out that there are now over 200 bureaus, commissions, offices, etc., at Washington, D. C. within the 13 major branches of the federal government, and asks: "What does each cost the American taxpayer?" and "Just what per cent of our total annual U. S. Government budget of almost four billions of dollars will go this year to each of the over 200?"

In answering the questions the chart points out that about one-fourth of the bureaus (53) get more than nine-tenths of the money (3½ billion dollars), and the remaining 150 small bureaus get only 6.8% of the money—averaging less than $1,000,000 each annually. On the chart in the last column of the small group will be found the Federal Radio Commission, one of the least expensive to Uncle Sam of the more than 200 bureaus supported by taxation.

APPLICATIONS RECEIVED

First Zone

WARD—Anna Unger, Brooklyn, N. Y.—Consent to involuntary assignment of license from United States Broadcasting Corporation to Anna Unger.

WODA—Richard E. O'Dea, Paterson, N. J.—Consent to voluntary assignment of license to WODAAM Corporation.

WAAM—WAAM, Inc., Newark, N. J.—Consent to voluntary assignment of license to WODAAM Corporation.

Second Zone

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to change hours of operation from specified to unlimited.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to change hours of operation from specified to unlimited.

WJAC—Johnstown Automobile Co., Johnstown, Pa.—Consent to voluntary assignment of license to WJAC, Inc. (resubmitted).

WEHC—Emory and Henry College, Emory, Va.—Modification of construction permit to move station from Emory to Charlottesville, Va., to extend completion date to 8-28-33.

Third Zone

KNOW—KUT Broadcasting Co., Austin, Texas—Modification of construction permit to change site locally and extend dates.

NEW—Southland Radio Corporation, Shreveport, La.—Construction permit for a new station at Shreveport, La., **1210 kc.**, 100 watts, unlimited time (facilities of KWEA), resubmitted and amended as to transmitter site.

NEW—Reybern D. Huffman, Bessmay, Texas—Construction permit for a new station, **1200 kc.**, 100 watts, daytime.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

Wednesday, May 31, 1933, before Commission en banc

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Modification of license to increase power from 500 watts, 1 KW LS, to 1 KW **(620 kc.)**.

KVOA—Robert Marion Riculfi, Tucson, Ariz.—Renewal of license and voluntary assignment of license to Arizona Broadcasting Co., **1250 kc.**, 500 watts, specified hours.

Wednesday, May 31, 1933, before Examiner

WDRC—WDRC, Inc., Hartford, Conn.—Modification of license to increase power from 500 watts to 1 KW, **1330 kc.**, unlimited time.

Friday, June 2, 1933

WILL—University of Illinois, Urbana, Ill.—Modification of license to increase power from 250 watts, 500 watts LS, to 250 watts, 1 KW LS, sharing with KUSD and KFNF (facilities of WKBS).

TENTATIVE HEARING CALENDAR

(Dates subject to change)

June 7, 1933, before Commission en banc

KGIX—J. M. Heaton, Las Vegas, Nev.—Construction permit to move station locally and install new transmitter, and renewal of license, **1420 kc.**, 100 watts, specified hours.

June 7, 1933

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit to change frequency from **900 kc.** to **890 kc.**, 250 watts, 500 watts until local sunset, unlimited time; also modification of license.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification of license to change frequency from **1340 kc.** to **890 kc.**, 1 KW, unlimited time.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.**, 500 watts, unlimited time.

June 9, 1933

WTAG—Worcester Telegram Publishing Co., Worcester, Mass.—Modification of license to use 500 watts, **580 kc.**, unlimited time.

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to use **580 kc.**, 500 watts, unlimited time.

June 12, 1933

The hearing involving the applications of KECA, KFBK, and the Don Lee Broadcasting System for facilities of KTM and KELW, and the applications of KTM and KELW for voluntary assignments of licenses and for renewals of licenses will be held June 12.

June 14, 1933

Oral argument in re Examiner's Report No. 470, in which the examiner recommended that time now assigned to KWKH be assigned to WWL, will be held June 14 instead of June 21.

June 15, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time.

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal of license, **1420 kc.**, 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Maine—Construction permit for new station, **640 kc.**, 500 watts, limited time.

APPLICATIONS GRANTED

First Zone

WMBO—WMBO, Inc., Auburn, N. Y.—Granted license covering rebuilding of station and moving transmitter locally, **1310 kc.**, 100 watts, unlimited time.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted modification of construction permit extending commencement date to June 16, 1933, and completion date to November 16, 1933. **710 kc.**, 50 KW.

WBAL—Consolidated Gas, Electric Light & Power Co. of Baltimore, Baltimore, Md.—Synchronization authorization extended for a period of three months from June 1, 1933.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 4 to 5 p. m., EST, June 11, 1933.

WCDA—Italian Educational Broadcasting Co., New York, N. Y.—Granted construction permit to make changes in equipment.

WCAC—Connecticut State College, Storrs, Conn.—Granted authority to discontinue operation for summer vacation period.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted authority to use time relinquished by WCAC from June 12 to Sept. 1.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to remain silent May 30.

WJEJ—A. V. Tidmore, Hagerstown, Md.—Granted consent to voluntary assignment of license to Hagerstown Broadcasting Co.

Second Zone

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 8:30 to 9:30 p. m., CST, May 31, 1933.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted authority to use time of WBAA during summer vacation period of WBAA (Purdue University).

WBAA—Purdue University, W. LaFayette, Ind.—Granted authority to cease operation during summer vacation period.

Third Zone

WAMC—Raymond C. Hammett, Anniston, Ala.—Granted construction permit to install new equipment, move studio locally, and move transmitter to point to be determined.

WHBQ—Broadcasting Station WHBQ, Inc., Memphis, Tenn.—Granted license covering local move of transmitter, **1370 kc.**, 100 watts, unlimited time.

KOCW—J. T. Griffin, Chickasha, Okla.—Granted modification of construction permit to move transmitter from Chickasha to Tulsa, change studio location to Mayo Hotel, Tulsa, and change equipment.

KFDX—George Roy Clough, Galveston, Texas—Granted construction permit to move transmitter and studio locally.

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Granted modification of construction permit to change type of equipment.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—Granted license, **620 kc.**, 250 watts night, 500 watts day (special authority 1 KW night and 2½ KW day), unlimited time.

WENC—H. P. Everett, Linwood Morris, and R. T. Crabb, d/b as Americus Broadcast Co., Americus, Ga.—Granted consent to voluntary assignment of license to Americus Broadcast Corp.

Fourth Zone

KGDY—Voice of South Dakota, Inc., Huron, S. Dak.—Granted modification of construction permit extending completion date to August 21, 1933.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special authority, from June 1 to July 1, to use time assigned to but not used by KUSD and WILL.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate 10 to 12 midnight May 27 to June 2; from 4 to 6 p. m., CST, May 31, and from 10 to 11 a. m. June 5, 1933.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate 12:30 p. m., CST, May 30, provided KFDY remains silent.

Fifth Zone

KICA—The Southwest Broadcasting Co., Clovis, N. Mex.—Granted license covering local move of transmitter and studio, **1370 kc.**, 100 watts, shares with KGFL.

KWSC—State College of Washington, Pullman, Wash.—Granted authority to reduce hours of operation.

KREG—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted authority to install automatic frequency control equipment.

KIFH—P. H. Pigg & S. A. Harvey, d/b as Juneau Broadcasting Co., Juneau, Alaska—Granted modification of construction permit extending commencement date to June 1 and completion date to Sept. 1.

MISCELLANEOUS COMMISSION ACTION

WBCM—James E. Davidson, Bay City, Mich.—Application for special authority to increase power to 1 KW for 60 days restored to docket. Default order withdrawn and rescinded.

WJKS—Johnson Kennedy Radio Corp., Gary, Ind.—Commission announced receipt of Mandate of Court of Appeals of the District of Columbia affirming its decision of October 16, 1931, granting application of WJKS for modification of license to change frequency from **1360 kc.** to **560 kc.**, and to change hours of operation to unlimited, and directed the Secretary to issue instructions to WIBO, Nelson Bros. Bond & Mortgage Co., and WPCC, North Shore Church, to cease operation at 3 a. m., CST, June 11.

NEW—Radio Investment Co., Inc., Newark, N. J.—Application for **1450 kc.**, 250 watts, sharing with WHOM (facilities of WBMS), heretofore set for hearing, was denied because applicant failed to enter an appearance within the time allowed.

KICK—Red Oak Radio Corp., Red Oak, Iowa—Granted construction permit to move transmitter and studio from 601 Summit St., Red Oak, to Carter Lake, Iowa, in keeping with a Mandate of the Court of Appeals of the District of Columbia affirming the decision of the Commission of September 13, 1932.

WRAM—Wilmington Radio Assn., Inc., Wilmington, N. C.—Granted renewal of license since the applicant for WRAM's facilities was denied May 12 because of default.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Hearing on application to determine transmitter site postponed to date convenient to Commission.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—The Commission reconsidered its action of May 12, 1933, granting station special temporary authority to operate unlimited time from June 4 to June 10, and cancelled the authorization at request of applicant.

WLCI—Lutheran Assn., Ithaca, N. Y.—The application requesting authority to make changes in equipment heretofore granted was retired to closed files because applicant failed to apply for license or time extension.

APPLICATIONS SET FOR HEARING

WOW—Woodmen of the World Life Insurance Association, Omaha, Nebr.—Modification of license to increase hours of operation from sharing with WCAJ to unlimited time (facilities of WCAJ). **590 kc.**, 1 KW.

NEW—Eastern Oregon Broadcasting Co., Inc., La Grande, Ore.—Construction permit for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time (facilities in quota units of KOAC).

WBBX—Samuel D. Reeks, New Orleans, La.—Designated renewal application for hearing.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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CHANGE ELECTRICAL POWER TAX LAW

The Congress is expected within the next few days to adopt the conference report on the so-called electrical energy-gasoline tax bill under which radio stations would be relieved from payment of the electrical power tax after September 1, 1933.

Section 6 of the bill would amend Section 616 of the Revenue Act of 1932, as follows:

"(a) There is hereby imposed upon electrical energy sold for domestic or commercial consumption and not for resale a tax equivalent to 3 per cent of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe."

The present law imposes the tax upon the domestic and commercial users of power which the new law will shift the tax upon the power companies. Under a ruling made by the Commissioner of Internal Revenue last year, over the protest of the NAB, broadcast companies were held to be commercial users of power.

REORGANIZATION PLAN SLOWED UP

The plan to consolidate and reorganize various government bureaus and commissions developed under the direction of Secretary of Commerce Roper may be sidetracked until the next session of Congress, it was rumored this week. It was learned on good authority, however, that the President may send to Congress a reorganization plan that will be limited to minor changes in existing bureaus in several departments.

MAY NAME THREE U. S. DELEGATES

It is reported that Representative Schuyler O. Bland, of Virginia, chairman of the Committee on Merchant Marine, Radio and Fisheries of the House of Representatives, will be asked by the State Department to be a member of the American delegation to the North American Radio Conference to be held in Mexico City beginning July 10.

In view of the fact that the Mexican Government has invited the Central American countries to participate in this conference, it is reported that the American Government will appoint three instead of two delegates. The name of the third delegate has not been mentioned but it is understood that he will be someone who is thoroughly conversant with South and Central American conditions. No intimation has come from the State Department as to when the other two delegates will be named. The only one named to date is Judge Eugene O. Sykes, chairman of the Federal Radio Commission, who will also be chairman of the American delegation.

NAB COMMERCIAL SECTION MEETING

Announcement was made this week of the tentative program for the second NAB Commercial Section meeting which will be held at Grand Rapids, Mich., on Tuesday, June 27, in connection with the annual convention of the Advertising Federation of America. The session will commence at 10 a. m. and early indications are that the session will be well attended.

H. K. Carpenter, chairman of the Commercial Committee, will preside.

The tentative program is as follows:

Problems of Station Promotion—Discussion led by John Patt, WGAR, Cleveland, Ohio.

Sales Management—Discussion led by Louis Weiss, WJR, Detroit, Mich.

Merchandising—Discussion led by Harry Howlett, WHK, Cleveland, Ohio.

Commercial Scripts—Discussion led by John Henry, KOIL, Council Bluffs, Iowa.

Cooperation with Local Civic Groups—Discussion led by Ed. Bill, WMBD, Peoria, Ill.

Participating Ideas—Discussion led by Ed. Craney, KGIR, Butte, Mont.

Station Surveys—Discussion led by Martin Campbell, WFAA, Dallas, Texas.

Standardization of Units of Sale and Rates—Discussion led by Arthur B. Church, KMBC, Kansas City, Mo.

Standardization of Commercial Forms—Discussion led by Roy Harlow, WNAC, Boston, Mass.

Sales Problems Common to Both Small and Large Station—Discussion led by Leslie Fox, WSM, Nashville, Tenn.

Station Displays—Discussion led by Don Davis, WHB, Kansas City, Mo.

How the NAB Can Cooperate with Commercial Managers and Program Directors—Discussion led by Herman S. Hettinger, University of Pennsylvania.

Maintenance of Published Rates—Discussion led by Philip G. Loucks, NAB Managing Director.

RAMSPECK NAMED RADIO CHAIRMAN

Representative Bland, Virginia, chairman of the House Committee on Merchant Marine, Radio and Fisheries, announced this week that Representative Ramspeck, Georgia, has been named chairman of the subcommittee on radio of the full committee succeeding Representative Briggs, Texas, who died recently.

ASCAP DRIVE ON RESTAURANTS

The campaign of the American Society of Composers, Authors and Publishers to exact royalties from restaurants has now spread to the States of Michigan and New Jersey, according to reports received from a number of broadcasting stations by Oswald F. Schuette, NAB director of copyright. If member stations learn of further efforts of this nature on the part of ASCAP, they are urged to communicate with Mr. Schuette, National Press Building, Washington, D. C. Restaurants receiving threatening notices from ASCAP should communicate immediately with their Congressmen, calling attention to the fact that a year ago, in the hearings of the House Patents Committee, the highest officials of ASCAP formally pledged themselves to Chairman Sirovich of that committee that they would make no effort to exact royalties from small restaurants and other minor shopkeepers.

PROGRAM COMMITTEE MEETING CALLED

Edgar L. Bill, chairman of the NAB Program Section, has fixed June 28 at Chicago as the time and place for the meeting of the NAB Program Committee. The Committee will have before it at its meeting a number of important proposals, all of which will be acted upon at the meeting. One of the important matters on the agenda is the establishment of a Program Department in the NAB and the development of details for the operation of such Department. The creation of the Department was approved by the Board of Directors upon recommendation of the Managing Director.

LUCE INTRODUCES COPYRIGHT BILL

Representative Luce of Massachusetts on May 31 introduced in the House a bill (H. R. 5853) which would change the present copyright law in certain important particulars.

Generally, the bill would (1) enable the United States to enter the International Copyright Union under the Rome convention of June 2, 1928; (2) provide automatic copyright for authors and composers; and (3) would extend Section 1 of the Copyright Act of 1909 to the broadcasting of literary works.

The NAB has not opposed the entry of the United States into the International Copyright Union nor has it opposed the theory of automatic copyright; provided the authors of literary and artistic works are required to register and record such works as at present. The Luce bill, however, would eliminate all requirements of registration and recordation.

The bill would extend the life of a copyright and would do away with the requirement that works must be published in this country as a prerequisite to obtaining copyright.

Section 4 of the bill would grant to authors of literary works substantially the same right which composers of musical works now have in the public performance for profit of their creations. Under this section the right of the author to oppose distortion, mutilation and other modification of his work would subsist in him notwithstanding the assignment of his copyright. It would give to the author of the work the right to restrain the broadcasting of such mutilated work.

The bill in full text follows:

"That copyright throughout the United States and its dependencies shall subsist in the work of alien authors, not domiciled in the United States, by virtue of the adherence of the United States to the Convention of Berne for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Rome on June 2, 1928.

"Sec. 2. From and after the date upon which the adherence of the United States to the said convention of 1928 becomes effective, copyright protection shall be accorded without compliance with any conditions or formalities whatever for all works by such alien authors who are nationals of any country which is a member of the International Copyright Union, as well as for any work which may be or has been first published in a country which is a member of the said Union: Provided, That as to copyright in works not previously copyrighted in the United States, no right or remedy given pursuant to this Act shall prejudice lawful acts done or rights in or in connection with copies lawfully made or the continuance of business undertakings or enterprises lawfully undertaken within the United States or any of its dependencies prior to the date on which the adherence of the United States to the said convention of 1928 goes into force; and the author or other owner of such copyright or person claiming under him shall not be entitled to bring action against any person who has prior to such date taken any action in connection with the exploitation, production, reproduction, circulation, or performance (in a manner which at the time was not unlawful) of any such work whereby he has incurred any substantial expenditure or liability.

"Sec. 3. Copyright is hereby granted and secured by this Act to all authors entitled thereto from and after the creation of their work, whether published or unpublished, including works of architecture and choreographic works and pantomimes, and the duration and termination of such copyright shall be governed by the provisions of sections 23 and 24 of the Act of March 4, 1909 (U. S. C., title 17): Provided, That the duration of copyright in the United States shall not in the case of the work of any alien author extend beyond the date upon which such work has fallen into the public domain in the country of its origin as defined in said convention of 1928.

"Sec. 4. The rights granted in Section 1 of the said Act of 1909 (U. S. C., title 17) shall include the exclusive right of the author to communicate his work for profit to the public by any system of broadcasting: and the author of any copyrighted work, even after the assignment of the copyright in such work, shall at all times have the right to claim the authorship of his work, and the right to oppose every distortion, mutilation, or other modification of the said work which might be prejudicial to his honor or to his reputation, as well as the right to restrain the publication and/or the performance of the mutilated work.

"Sec. 5. The Supreme Court of the United States shall prescribe such additional or modified rules and regulations as may be necessary for practice and procedure in any action, suit, or proceeding instituted for infringement under the provisions of this Act.

"Sec. 6. This Act shall take effect from the date of its passage."

SECURITY BILL BECOMES LAW

President Roosevelt, May 27, signed the Securities Act which grants broad regulatory powers to the Federal Trade Commission.

The bill covers the advertising of securities by radio and requires copies of the addresses to be filed with the Commission.

Forty days after signing the Act will take effect.

As reported by the Committee on Banking and Currency the purpose of this bill is to protect the investing public and honest business. The basic policy is that of informing the investor of the facts concerning securities to be offered for sale in interstate and foreign commerce and providing protection against fraud and misrepresentation.

The aim is to prevent further exploitation of the public by the sale of unsound, fraudulent, and worthless securities through misrepresentation; to place adequate and true information before the investor; to protect honest enterprise, seeking capital by honest presentation, against the competition afforded by dishonest securities offered to the public through crooked promotion; to restore the confidence of the prospective investor in his ability to select sound securities; to bring into productive channels of industry and development capital which has grown timid to the point of hoarding; and to aid in providing employment and restoring buying and consuming power.

The principal duty of carrying out the purposes of the bill is placed upon the Federal Trade Commission. It is intended that those responsible for the administration and enforcement of the law shall have full and adequate authority to procure whatever information may be necessary or material in carrying out the provisions of the bill. It has been deemed essential to refrain from placing upon any federal agency the duty of passing judgment upon the soundness of any security. Moreover, care has been taken to prevent the public from being led to believe that the federal government under the proposed law passes upon the soundness of any security, and to represent that any security has been so approved as to its soundness is declared to be unlawful (sec. 10).

This bill is intended to be self-sustaining through the payment of filing fees of one one-hundredth of 1 per cent of the value of the securities registered (sec. 5, subd. (e)) with a minimum of $25. This fee is, of course, to be covered into the Treasury of the United States (sec. 17).

The bill contains six main features:

1. Registration of information with the Federal Trade Commission.
2. Supervision of advertisements of securities.
3. Revocation and suspension of registration.
4. Exemptions.
5. Personal responsibility.
6. Remedies in case of fraud.

1. Registration of Information with the Federal Trade Commission (Secs. 3 to 5)

The bill requires registration or filing of information with the Federal Trade Commission when a person or corporation is about to sell securities in interstate commerce. The issuer who sells securities without previous registration subjects himself to both civil and criminal penalties.

2. Supervision of Advertisements of Securities (Sec. 8)

The bill sets forth somewhat in detail what information is required in advertisements including data as the amount of bonuses, discounts, rebates, and commissions given by the issuer, underwriters and others, the net return to capital investment, the names of the officers and directors and those responsible for the security, and a statement that further information can be secured by applying to the Commission. It also requires the issuer or his representatives when delivering stock to a purchaser to furnish the purchaser with written information similar to that in the advertisements. It subjects the issuer of securities, on failure to advertise essential facts, to penalties similar to those applicable where he fails to register information with the Commission. The registration and advertising requirements for private foreign securities are the same as those applied to domestic securities.

Provision is made, however, that where because of limited size of any advertisement it is impracticable to set forth all the information, the Commission may prescribe by rules or regulations what parts thereof or other information should be given in the interest of the protection of the public. Such provision affords the flexibility necessary to meet varying conditions in a practical way.

Radio Broadcasts

Section 10 (d) provides: "In any case where a prospectus consists of a radio broadcast, copies thereof shall be filed with the Commission under such rules and regulations as it shall prescribe. . . ."

3. Revocation and Suspension of Registration (Secs. 6 and 7)

The revocation feature of this bill is not found in the British act. It is proposed in the bill to give the power to the Commission to revoke or suspend registration the moment it sees that an advertisement does not agree with the registration information, or that the information filed is false. Immediate revocation will then save the public in large part from what might otherwise result in heavy losses. The rights of the aggrieved party, however, are safeguarded through the privilege to demand a hearing before final order by the Commission. In the event that the final order is against him, he is given recourse by way of review of the order by the Circuit Courts of Appeals or the Court of Appeals of the District of Columbia.

5. Personal Responsibility

The committee has been confronted with the problem of the contrasted equities where untrue information as to material facts shall be given in any registration statement upon which the buyer presumably relies. This goes to the essence of the relief to the public. Shall the signers on behalf of the corporation be exempt from liability if it cannot be shown that they knew of the false or erroneous character of the representations made?

The question is whether ignorance of an untruth should excuse the director and leave the loss upon the buyer. To do so in our opinion would fail to give the buyer the needed relief and fail to restore confidence. If one of two presumably innocent persons must bear a loss, it is familiar legal principle that he should bear it who has the opportunity to learn the truth and has allowed untruths to be published and relied upon. Moreover he should suffer the loss who occupies a position of trust in the issuing corporation toward the stockholders, rather than the buyer of stock who must rely upon what he is told.

The committee believes it to be essential to accomplish the objects of the Act to make the directors executing the registration statement liable for the consequences of untrue statements rather than to throw the loss on the buyer.

Accordingly the registration of false information under the bill makes not only the issuer, but the directors who sign, civilly liable for return of the money which the purchaser paid for the security. If a director can excuse himself by saying that he has in good faith relied upon an accountant's statement, or the statement of some other person, then the investor will continue in the same position from which the Nation is struggling to extricate him. It has been stated in prospectuses repeatedly that the information given is believed by the company to be true, but not guaranteed. But it is the issuer who is in position to learn the facts, not the public.

This phase of the law will have a direct tendency to preclude persons from acting as nominal directors while shirking their duty to know and guide the affairs of the corporation. Upon the discharge of this duty the public and stockholders rely in good faith. We cannot but believe that many recent disastrous events in the investment world would not have taken place if those whose names have appeared as directors had known themselves to be under a legal. as well as a moral, responsibility to the investing public.

The committee believes that making directors and officers personally liable will result in persons retiring from many boards and confining their efforts to a few boards where they will actually direct.

Where an officer or director knowingly participates in violation of the terms of the bill, either by failure to file the information, or by filing false information, or advertises falsely, he subjects himself also to fine or imprisonment, or both. This provision is in harmony with the British statute.

6. Remedies in Case of Fraud, False Information, etc.

Under the bill, in case of fraud or misrepresentation in the sale of securities, the remedies are as follows:

(1) The purchaser may rescind the transaction and sue for a return of his money in the district whereof the defendant is an inhabitant or is found, or transacts business (sec. 9).

(2) The Government may stop the further or threatened fraud or misrepresentation by injunction in the district courts (sec. 13).

(3) The registration of the securities may be revoked or suspended for fraud or misrepresentation on the part of the issuer, but the revocation or suspension does not apply to such parts of an issue of securities which have already been sold and are in the hands of the public (sec. 6).

(4) Those guilty of the fraud may be prosecuted criminally by the Attorney General (sec. 13).

The registration of false information makes the issuer, including the directors, civilly liable for return of the money which the purchaser paid for the security. This civil liability is only in the case where materially false or deceptive information has been registered, and is analogous to the common-law liability of a principal for the acts of his agents or of a partner for the acts of his copartners. In case of misrepresentations in the advertisements or selling methods, those responsible for or using the misrepresentations are also made liable to the purchaser for the damages suffered by reason thereof (sec. 9).

A five-year limitation is placed upon all civil suits, actions, or proceedings brought by purchasers.

RECOVERY BILL BEFORE SENATE

Senator Harrison of Mississippi, chairman of the Senate Finance Committee, has stated that he hopes to be able to report the Industrial Recovery Bill to the Senate on June 5.

Hearings which have been held by the committee on the bill were concluded on June 1.

Considerable opposition is developing to the bill, and while there seems to be no question but what the bill will be passed, there is also very little question but what it will have a rather rocky passage through the Senate.

Present opposition is devoted almost entirely to the lack of protection for American manufacturers from foreign competition, and also to the labor provisions contained in the bill. The steel and many other industries are opposed to the labor bargaining provisions of the bill.

There is also increasing dissatisfaction over the tax provisions of the bill as it passed the House. On the other hand the Finance Committee is reported to be working out tax provisions which will not be so hard on the "little fellow."

Meeting was held June 3 of representatives of more than 1,000 industrialists under the call of the National Manufacturers Association to protest against certain sections of the bill. This association, together with the Chamber of Commerce of the United States, stuck with the administration during the drafting of the bill but both organizations now claim that some changes will have to be made in the bill if it is to be just and workable for industry.

The bill as passed by the House on May 26 undoubtedly will undergo several important changes in the Senate. A summary of Title I of the measure, as passed by the House, is as follows:

Section I—Declaration of Policy

Existence of national emergency declared. Policy of Congress declared to be:

- To remove obstructions to interstate commerce.
- To promote the organization of industry for cooperative action.
- To obtain united action of labor and management under governmental supervision.
- To eliminate unfair competitive practices, to reduce unemployment, to improve standards of labor.
- Otherwise to rehabilitate industry and to conserve natural resources.

Section II—Administrative Agencies

a. Administration of measure vested in the President who is authorized to establish agencies, utilize voluntary services, and federal and state officers and employees.

b. Powers of President may be delegated to designated officers and agents: President may establish an industrial planning and research agency.

c. Title I shall cease to be in effect and all agencies established thereunder shall cease to exist at the expiration of two years after enactment, or sooner upon proclamation of President or upon joint resolution of Congress.

Section III—Codes of Fair Competition

a. Codes of fair competition may be formulated by trade organizations for submission to the President.

The code for an industry may be approved by the President if he finds:

1. That the group formulating the code imposes no inequitable restrictions on membership and is truly representative of its industry.
2. That the code is not designed to promote monopolies, to eliminate, oppress, or discriminate against small enterprises, and that it will tend to effectuate the policy of the title.

As a condition of approval, the President may impose requirements for submittal of reports, keeping of accounts, and for the protection of consumers, competitors, employees, and others, and in the public interest.

The President may also establish exceptions to and exemptions from the code.

b. Upon approval by President the code shall constitute the standards of fair competition for the industry.

Any violation of such standards "in any transaction in or affecting interstate commerce shall be deemed an unfair method of competition" as construed in the Federal Trade Commission Acts.

Violation of any provision of code shall be a misdemeanor punishable by a fine of not more than $500 for each offense.

c. United States district courts are given jurisdiction to prevent and restrain violations of code; federal district attorneys empowered to institute proceedings.

d. When no code has been approved by the President, he may upon his own motion or upon complaint prescribe and approve a code of fair competition for an industry, such code to be binding upon the industry.

Section IV—Agreements and Licenses

a. The President is authorized to enter into agreements with, and to approve voluntary agreements between and among persons engaged in an industry, labor organizations, and trade organizations, or groups, if, in his judgment, such agreements will aid in effectuating the policy of the Act and are not inconsistent with previously approved codes of fair competition.

b. If essential to make effective codes or agreements, the President may, after notice and hearing, establish a date after which no person can conduct a specified line of business, in or affecting interstate commerce, without a license issued under regulations prescribed by the President.

The President may suspend or revoke any license after notice and hearing.

Persons conducting any business for which a license is required, without such a license or in violation of any condition thereof, shall, upon conviction, be fined not more than $500, or imprisonment not more than six months, or both.

Section V—Applicability of Anti-Trust Laws

While Title I is in effect and for sixty days thereafter, all codes, agreements, and licenses approved or promulgated by the President, and any action complying with the provisions thereof taken during such period, shall be exempt from the federal anti-trust laws.

Section VI—Limitations Upon Application of Title I

a. No trade organization or group shall be eligible to participate in activities prescribed in previous sections until it files with the President a statement containing such information relating to its activities as the President shall prescribe.

b. The President is authorized to prescribe regulations to assure the representative nature of any organization availing itself of the benefits of Title I; any organization violating such regulations shall cease to be entitled to the benefits of the title.

c. The Federal Trade Commission, at request of the President, shall be empowered to make such investigations as he deems necessary to effectuate the provisions of this title.

Section VII—Employment Provisions

a. Every code, agreement, and license, approved or promulgated, shall contain the following provisions:

1. That employees shall have the right to organize and bargain with representatives of their own choosing and that they shall be free from interference or coercion of their employers in the designation of their representatives, or in other concerted activities relating to collective bargaining.
2. That no employee or applicant for employment shall be required to join or refrain from joining any "company union" or labor organization.
3. That employers shall comply with maximum hours of labor, minimum rates of pay, and other working conditions prescribed by the President.

b. In any industry in which requirements relating to right to organize and to collective bargaining are observed, the President shall afford opportunity for employers and employees to establish, by mutual agreement, equitable standards for maximum hours, minimum wage rates, and other working conditions; such standards, if approved by the President, shall have the effect of a code of fair competition.

c. In any industry where no mutual agreement has been approved, the President may investigate labor practices and policies and, after hearings, the President may prescribe a limited code of fair competition fixing maximum hours, minimum wage rates, and other working conditions.

In establishing standards the President may fix differentials based upon experience and skill of the employees affected, and upon geographical considerations, provided that no classifications may be used which would tend to set a maximum as well as a minimum wage.

d. The term "person" is construed to mean any individual, partnership, association, trust, or corporation.

Section VIII—Application of Agricultural Adjustment Act

This title shall not be construed to repeal or modify any of the provisions of the Agricultural Adjustment Act approved May 12, 1933.

Section IX—Rules and Regulations

a. The President is authorized to prescribe necessary regulations, and to fix fees for licenses and for filing of codes of fair competition.

Violation of any rule or regulation shall be punishable by fine of not to exceed $500, or imprisonment for not to exceed six months, or both.

b. The President may cancel or modify any order, license or regulation issued under this title, and each agreement, code or license shall contain an express provision to that effect.

MICHIGAN LIQUOR ADS VETOED

On May 25th the Governor of Michigan vetoed the Doyle Bill (S. 101), which would have repealed section 9203 providing for a prohibition of advertising intoxicating liquor.

FLORIDA WOULD LEASE WRUF

The Florida House on May 27 passed the Brown Bill which would permit the state to lease Station WRUF, now licensed to the state university at Gainesville, Fla. The bill now goes to the Senate.

TEN LEGISLATURES IN SESSION

Of the 45 state legislatures in session last January, only 10 now remain in session. Since the first of the year 62,500 bills were introduced in the various legislatures, of which 8,000 have been enacted into law. Of the 8,000, about 1,200 relate to taxation, many of which contain extensive regulatory features vitally affecting industry.

CONGRESS MAY SOON ADJOURN

Leaders of both the Senate and House have stated that Congress will be ready to adjourn during the present month. Every effort will be made to conclude President Roosevelt's emergency legislation program before adjournment.

PENNSYLVANIA ACT BECOMES LAW

On May 24th Governor Pinchot signed the Coyne Bill, which by its terms becomes effective immediately, prohibiting advertising by radio (or otherwise) of insurance companies not authorized to do business in the Commonwealth, and requiring that insurance advertising by broadcast include a statement that the station holds a certificate stating that the advertiser is authorized by the Insurance Department to do business in Pennsylvania.

GEORGE H. HILL TO BE EXAMINER

Appointment of George H. Hill, who has been a member of the legal staff of the Federal Radio Commission since November, 1931, as an examiner, was announced June 2. Mr. Hill will assume his new duties on June 15. He succeeds Elmer W. Pratt, who was one of the original attorneys for the Commission and also one of its first examiners. Mr. Pratt's resignation became effective on June 1. Mr. Hill, the new examiner, is a Democrat and came to the Commission from Mississippi.

APPROVE NEW ALABAMA STATION

The Federal Radio Commission on June 2 granted the application of Kathryn Jones for the erection of a new 100-watt station at Florence, Ala., sustaining Examiner E. W. Pratt in his Report No. 475. The station will operate daytime hours on a frequency of 1420 kilocycles.

The Commission in its decision found that there is need for additional daytime radio service in the Florence area and the operation of the proposed station would not create interference with any other broadcasting station. The Commission states also that "the application has the support of the community as is evidenced by the fact that representatives of five civic bodies appeared at the hearing urging the granting thereof."

LICENSE DENIED STATION WKAV

Application for renewal of the license of Station WKAV, Laconia, N. H., was denied by the Federal Radio Commission June 2, sustaining Chief Examiner Yost in his Report No. 483. The station operates on a frequency of 1310 kilocycles, 100 watts power, specified hours. The renewal was denied as in cases of default.

COURT DISMISSES KGDA CASE

The Court of Appeals of the District of Columbia on Friday dismissed the appeal of Station KGDA, Mitchell, S. Dak., against the Radio Commission. The case was dismissed at the request of the appellant.

The Radio Commission refused to renew the license of this station and also refused to allow it to move to Aberdeen, S. Dak. In the same decision the Commission granted increased power and a license renewal to Station WNAX, Yankton, S. Dak.

CANADIAN REGULATIONS FOLLOW U. S.

The Canadian Radio Broadcasting Commission, under an act which became effective on May 26, 1932, has just adopted its Rules and Regulations for broadcasting stations, which follow very closely the Rules and Regulations approved by the Federal Radio Commission and made effective February 1, 1932.

In fact, the Canadian Commission has laid down for the instruction and guidance of broadcasters the same engineering principles incorporated in the Rules and Regulations of the Federal Radio Commission. For instance, effective September 30, 1933, all Canadian broadcasting stations in operation on and after that date shall be equipped so that the station transmitter will maintain its carrier frequency between the limits of fifty cycles above and fifty cycles below the assigned frequency. The Federal Radio Commission put that rule into effect June 22, 1931.

Effective September 30, 1933, all Canadian broadcasting stations will be required to have in use transmitters capable of delivering satisfactorily the authorized power with a modulation of at least seventy-five per cent. All stations are required to have installed radio frequency monitor systems on or before September 30, 1933, which will indicate visually the stations' frequency drift. These requirements were made effective by the Federal Radio Commission as to stations in the United States on April 30, 1931.

Again the Canadians must maintain a minimum regular operating schedule of two-thirds of the hours that the stations are authorized during the broadcast day. The broadcast day is defined as that period between 6:00 a. m. and 12:00 midnight, local standard time, the same as in the Rules and Regulations of the Federal Radio Commission.

Under the Canadian rules the broadcast stations are classified, just as they are by the Federal Radio Commission, into "high-power channels," "regional stations," and "local stations," according to the same power assignments.

The definition of technical terms, their significance and application, follow almost verbatim the language used in the Rules and Regulations of the Federal Radio Commission.

Announcements regarding mechanical reproductions follow closely the rule on the subject adopted by the Federal Radio Commission.

An interesting deviation is the section devoted to "Control of Programs." That provides stations must not use more than forty per cent of their time on programs imported from foreign countries, stations in Canada shall not mention or suggest prices in connection with any advertising programs or announcements transmitted, the licensee must file with the Commission weekly in advance copy of the daily program schedule. Canadian programs are given priority, when requested, to foreign programs. The licensee, upon request of the Commission, must give right of way to programs which in the judgment of the Commission are of national interest.

The use of recorded programs and electrical transcriptions must be confined to such hours and subjects as may be defined for each station by the Commission. Electrical transcriptions designed for advertising purposes shall not be broadcast more than once from any one station.

Except where special permission has been given by the Commission, the amount of advertising matter of all kinds contained in programs broadcast from Canadian stations shall not exceed five per cent of the time of any program period; for example, in a quarter-hour program forty-five seconds only may be given to advertising matter. No station shall broadcast spot announcements to exceed one hundred words and no such announcements shall be made between the hours of 7:30 p. m. and 11:00 p. m.

Under the Radio Act of 1927 as amended the Federal Radio Commission has no right of censorship over programs.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Wednesday, June 7, 1933, Oral Argument before Commission en banc

KGIX—J. Heaton, Las Vegas, Nev.—Construction permit to move station locally, and renewal of license, **1420 kc.**, 100 watts, specified hours.

WNBO—John Brownlee Spriggs, Silver Haven, Pa.—Modification of construction permit to move station to Monongahela, Pa., and change hours from specified to unlimited, **1200 kc.**, 100 watts.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Construction permit to move transmitter outside of Pittsburgh, **1220 kc.**, 1 KW, unlimited time.

WHBC—Edward P. Graham, Canton, Ohio—Construction permit to increase power from 10 to 100 watts and install new equipment, **1200 kc.**, specified hours.

June 7, 1933, before Examiner

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit to change frequency from **900 kc.** to **890 kc.**, 250 watts, 500 watts, LS, unlimited time; also modification of license to change frequency.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification of license to change frequency from **1340 kc.**, to **890 kc.**, 1 KW, unlimited time.

KGIR—KGIR, Inc., Butte, Mont.—Modification of license to change frequency from **1360 kc.** to **1340 kc.**, 500 watts, 1 KW LS.

June 9, 1933

WTAG—Worcester Telegram Publishing Co., Worcester, Mass.—Modification of license to increase night power from 250 watts to 500 watts, **580 kc.**

WOBU—WOBU, Inc., Charleston, W. Va.—Modification of license to increase night power from 250 watts to 500 watts, **580 kc.**

TENTATIVE HEARING CALENDAR

(Dates subject to change)

June 12, 1933

The hearing involving the applications of KECA, KFBK, and the Don Lee Broadcasting System for facilities of KTM and KELW, and the applications of KTM and KELW for voluntary assignments of licenses and for renewals of licenses will be heard June 12.

June 14, 1933, before Commission en banc

Oral argument in re Examiner's Report No. 470, in which the Examiner recommended that time now assigned to KWKH be assigned to WWL.

June 15, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time.

WHBD—F. P. Moler, Mt. Orab. Ohio—Renewal of license, **1420 kc.**, 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Maine—Construction permit for new station, **640 kc.**, 500 watts, limited time.

June 16, 1933

KGEK—Elmer G. Beehler, tr. as Beehler Elec. Equip. Co., Yuma, Colo.—Construction permit to move station to Ft. Collins, Colo., **1200 kc.**, 100 watts, specified hours.

KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Renewal of license, **1290 kc.**, 50 watts, daytime.

June 19, 1933

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power to 1 KW experimentally, **610 kc.**

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power to 1 KW, **560 kc.**

June 20, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to use 500 watts, **600 kc.**, unlimited time.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to use 500 watts night power experimentally.

June 21, 1933

WINS—American Radio News Corp., New York, N. Y.—Modification of license to increase power from 500 watts to 1 KW, **1180 kc.**, limited time.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Modification of license to use **630 kc.**, 250 watts, unlimited time.

WABI—First Universalist Society, Bangor, Maine—Modification of license to increase time to unlimited, **1200 kc.**, 100 watts.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to increase hours from daytime to unlimited time, **830 kc.**, 1 KW.

June 22, 1933

NEW—Raymond M. Brannon, Fremont, Nebr.—Construction permit for 100-watt station, **1500 kc.**, daytime (facilities of KFOR).

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Renewal of license, **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

June 23, 1933

WJJD—WJJD, Inc., Mooseheart, Ill.—Renewal of license, **1130 kc.**, 20 KW, limited time.

APPLICATIONS GRANTED

First Zone

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted unlimited time on **1450 kc.**, facilities of WBMS. Hearing set for June 5 cancelled. Application of Radio Investment Co., Inc., for facilities of WBMS has been defaulted. Station WBMS has no authorization of any kind to operate at this time as its last license expired May 1, 1933.

WODA—Richard E. O'Dea, Paterson, N. J.—Granted consent to voluntary assignment of license to WODAAM Corp.

WAAM—WAAM, Inc., Newark, N. J.—Granted consent to voluntary assignment of license to WODAAM Corp.

Second Zone

WNBW—WNBW, Inc., Carbondale, Pa.—Granted extension of special temporary authority to remain silent pending decision on application, but not later than Dec. 1, 1933.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted license covering changes in equipment, **880 kc.**, 250 watts, shares WQAN.

WEHC—Emory and Henry College, Charlottesville, Va.—Granted modification of construction permit extending completion date to August 28, 1933.

Third Zone

WACO—Central Texas Broadcasting Co., Inc., Waco, Texas—Granted construction permit to install new transmitter, change frequency from **1240 kc.** to **1420 kc.**, decrease power from 1 KW to 100 watts, and change hours of operation from sharing with KTAT to specified hours.

KGKB—East Texas Broadcasting Co., Tyler, Texas—Granted modification of license to change hours of operation from unlimited to specified.

KTAT—KTAT Broadcast Co., Inc., Fort Worth, Texas—Granted modification of license to change hours of operation from sharing with WACO to unlimited.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted modification of construction permit to extend completion date to Sept. 17, 1933.

WPFB—Hattiesburg Broadcasting Co., Hattiesburg, Miss.—Granted authority to remain silent from June 1 to July 1, 1933, on account of business conditions.

WBHS—The Hutchens Co., Huntsville, Ala.—Granted extension of special temporary authority to remain silent pending hearing and decision on renewal of license and assignment of license.

Fourth Zone

WMBH—W. M. Robertson, Joplin, Mo.—Granted license covering installation of new equipment, **1420 kc.**, 100 watts, 250 watts LS, specified hours.

Fifth Zone

None.

MISCELLANEOUS COMMISSION ACTION

WABI—First Universalist Society of Bangor, Maine—Application for modification of license to increase hours of operation to unlimited, heretofore set for hearing, was denied because applicant failed to enter an appearance within the time specified.

KGBX—KGBX, Inc., Springfield, Mo.—Application for construction permit to change frequency to **1340 kc.**, and increase power to 250 watts, heretofore set for hearing, was dismissed at request of applicant.

KGIZ—Grant City Park Corp., Grant City, Mo.—Granted permission to take depositions.

APPLICATIONS SET FOR HEARING

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Construction permit to make changes in equipment and increase power from 25 to 50 KW.

APPLICATIONS RECEIVED

First Zone

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—License to cover construction permit to move transmitter from Cranston, R. I., to Providence, and move studio locally.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special experimental authorization amending previous application requesting change of frequency from **1210 kc.**, 100 watts, to **630 kc.**, 250 watts on experimental basis for six months; also install new equipment.

Second Zone

None.

Third Zone

None.

Fourth Zone

WEHS—WEHS, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

WHFC—WHFC, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

WKBI—WKBI, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change frequency from **1310 kc.** to **1420 kc.**

WKBB—Sanders Brothers Radio Station, Joliet, Ill.—Modification of license to change frequency from **1310 kc.** to **1420 kc.**

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Modification of license to increase power from 500 watts to 500 watts night, 1 KW to local sunset. Resubmitted without change.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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MEXICO CITY DELEGATES NAMED

The State Department this week announced the delegates to the North American Radio Conference to be held in Mexico City, Mexico, beginning July 10. They are: Judge Eugene O. Sykes, chairman of the Federal Radio Commission, chairman of the delegation; Representative Schuyler O. Bland, of Virginia, chairman of the House Committee on Merchant Marine, Radio and Fisheries; and Roy T. Davis, American Minister to Panama. The Department announced that "these delegates will be accompanied by a small staff whose names will be announced later."

In its announcements the State Department said that "the American Embassy at Mexico City today has been instructed formally to accept an invitation extended by the Mexican Government to attend a Radio Conference which will be held in Mexico City beginning July 10, 1933."

Prior to the announcement of the delegates the State Department made the following statement:

"The International Radio Convention of Washington (1927) and the International Telecommunication Convention of Madrid (1932) leave to regional conferences the solution of problems affecting two or more countries in a single region, but not affecting the entire world. There is no definition in either convention of the limits of regions outside of Europe. Those limits are left to be determined by the interested governments in the light of probable interference caused by the operation of stations. In extending the invitation to the North and Central American Regional Conference, the Mexican Government naturally included all neighboring governments which might license stations capable of interfering with stations in Mexico. As the problem of interference must be considered as a unit which can be solved only by taking into account all stations likely to cause interference, the United States is glad to participate in a conference representing the governments of North and Central America at the request of the Mexican Government."

EDITORS URGE RIGID RADIO CONTROL

More rigid control of radio broadcasting by the Government was advocated in a resolution adopted by the National Editorial Association at the organization's annual meeting in Indianapolis this week.

At the opening session of the convention E. H. Harris, chairman of the Radio Committee of the American Newspaper Publishers' Association, delivered an address on the radio subject.

Self-government, he said, rests upon the right of the individual to an unhampered and unrestricted opportunity for an expression of his opinion, spoken or printed or uttered over the radio. Foreign governments, he said, had found the solution in government ownership or control, although he pointed out that he was not recommending government ownership for the United States.

"It is barely possible," he added, "that newspapers needed a challenge such as is offered by radio, to make them recognize anew their duty as defenders of the liberties of the people. No matter how strong our zeal may be, an outside opposing force often is required to bring us together as a unit and make us produce our best."

COMMISSION TO RECESS JULY 1

The Federal Radio Commission will begin its summer recess on or about July 1 until September 1. The Commission no longer adjourns for the summer as it used to. Hearings will continue during this summer before Examiners and it is planned to have at least two members of the Commission in Washington during the entire summer. They will be clothed with authority to handle routine and emergency matters.

RADIO COMMISSION APPROPRIATION

The Independent Office Appropriation Bill, in which the appropriation for the Radio Commission for the coming fiscal year, beginning July 1, passed the Senate this week. It has already passed the House and the bill is now is conference.

As the bill passed the Senate the Radio Commission's appropriation is left as it passed the House, that is, $640,000. This is $140,000 less than the Commission is using for the present fiscal year but no changes at all were made in the Radio Commission section of the bill as it passed the Upper House. The Senate failed to include the amendment which would have allowed Judge Sykes, chairman of the Commission, pay for the time he lost while his name was being confirmed by the Senate. This will undoubtedly be taken care of by a separate bill later. It is expected that a compromise will be effected on the veteran dispute and that the bill will become law in due course.

SENATE REJECTS REPORT ON POWER TAX

The Senate this week by a record vote rejected the conference report on the so-called gasoline-electrical energy tax bill which would have transferred the payment of the tax from commercial and domestic users of electrical energy to the public utilities. Objection was made because the report would have placed a tax upon municipally-owned power companies.

OFFICES FOR RADIO PROGRAM FOUNDATION

Oswald F. Schuette, president of the Radio Program Foundation, has established the offices of the Foundation in the National Press Building, Washington, D. C., on the same floor with the offices of the National Association of Broadcasters. The Radio Program Foundation has been incorporated by the National Association of Broadcasters to extend the fields from which music may be obtained for broadcasting stations of the United States.

The Foundation is the medium through which the music of independent composers and publishers who are not affiliated with the American Society of Composers, Authors, and Publishers—both in the United States and abroad—may be made available for use by the broadcasting industry. At the same time it is the hope of the Foundation to secure music written primarily for the microphone rather than for the requirements of the stage or the dance halls to which ASCAP's music has been so largely limited.

The plans of the Radio Program Foundation also include the creation of a Registration Bureau for continuities and other literary features of radio programs.

Among other purposes, the certificate of incorporation of the Radio Program Foundation provides that the Foundation is "to promote advancement in the means, methods and forms of sound and visual broadcasting, and to promote and sponsor the selection of meritorious program material, as a means of promoting the cultural arts and of extending the benefits thereof to the public." It also provides that the Foundation shall "encourage and assist scientific experimentation for the improvement of radio communication, sponsor and acquire deserving productions of composers and authors and acquire copyrights therein, enter into agreements with authors and composers and establish means and agencies for fixing, collecting, and accounting for license fees or royalties, act as a clearing house for representative in agreements between authors, composers, and publishers and the users of their works, and encourage and promote the use of radio broadcasting for educational purposes."

BIG ATTENDANCE FOR COMMERCIAL MEETING

Indications are that the second NAB Commercial Section meeting to be held at Grand Rapids, Mich., on June 27 will be well attended. The program, announced in last week's NAB Reports, lists for discussion all of the important commercial problems now confronting broadcasters. Many NAB members in all parts of the country have written that they will be on hand to participate in the discussions.

PETITION AGAINST WGN APPEAL

The Federal Radio Commission and Stations WBBM and KFAB, intervenors, this week filed petitions with the Court of Appeals of the District of Columbia asking that the Court dismiss the appeal of Station WGN against the synchronization of Stations WBBM and KFAB. The Commission issued an order granting the two stations to synchronize, following which WGN filed an appeal with the Court against the order claiming economic interest.

COMMISSION DISMISSES WIBO PETITION

The petition and supplemental petition in the so-called WIBO case was dismissed by the Radio Commission on Friday on the basis that it is without jurisdiction in the matter.

The petition asked that the Commission reconsider the case and reopen its decision of October 6, 1931, whereby the facilities of Stations WIBO and WPCC were granted to WJKS. The case was appealed through all of the lower courts and finally into the United States Supreme Court, which held in favor of the Commission. The petition asked for reopening on the ground that new and additional evidence had been found showing alleged fraud.

WAPI CONSTRUCTION PERMIT EXTENDED

The Radio Commission on Friday sustained Chief Examiner Ellis A. Yost in his Report No. 473 by finding that the construction permit granted to Station WAPI, Birmingham, Ala., on November 7, 1931, authorizing it to increase its power from 5,000 to 25,000 watts should be modified so as to permit the construction commencement by June 17 and completion by December 17, 1933.

In its decision the Commission found that the station is financially and otherwise qualified to construct and operate the proposed station. It was also found that preliminary steps have been taken to comply with the terms of the existing construction permit, and "in view of all the circumstances as disclosed by this record, it is believed that an extension of time as requested is warranted."

ENGINEERING SECTION MEETING

The program for the meeting of the NAB Engineering Section, to be held at the Sherman Hotel, Chicago, Monday morning, June 26, at 9:30 a. m., has been arranged tentatively. Dr. C. B. Jolliffe, Chief Engineer of the Federal Radio Commission, has been invited. The present program comprises the following discussions:

Need for Standards in Broadcast Practice, led by E. L. Nelson, of Bell Telephone Laboratories.

Progress in Antenna Development, led by Walter C. Evans, of Westinghouse Electric & Mfg. Co.

Present Status of Television, led by L. F. Jones, of RCA-Victor Co.

Synchronous Operation of Broadcast Stations, led by C. B. Aiken, of Bell Telephone Laboratories.

Technical Aspects of North American Radio Conference, led by James W. Baldwin, of NAB.

Professional Ethics, led by J. A. Chambers, of WLW.

NAB Engineering Service, led by J. C. McNary, of NAB.

Acoustics and Studios, led by J. G. Leitch, of WCAU.

Evaluation of Frequencies, led by Dr. J. H. Dellinger, of Bureau of Standards.

Power Increases for Local and Regional Stations, led by W. C. Bridges, of WEBC.

J. A. Chambers, Chairman of the NAB Engineering Committee, will preside.

COLONEL BROWN ADDRESSES RMA

Col. Thad H. Brown, Vice Chairman of the Federal Radio Commission, in an address before the RMA Convention June 6 at Chicago, emphasized the necessity of the closest kind of cooperation between the Federal Radio Commission and the Radio Manufacturers Association. Referring to mutual problems affecting the allocation of channels, Colonel Brown said:

"Improper allocation of transmission facilities which do not fit the characteristics of receiving sets can destroy the effectiveness of such sets with consequent inconvenience and expense to the listening public. Conversely, receiving sets which are designed without regard to the allocation plan followed by the Commission may render such allocation subject to very severe criticism by and consequent dissatisfaction of the listening public.

"It must be understood, of course, that the allocation plan must be built for a comparatively long period of time, and that it must take into account not only the newest type of receiving set, but also a cross section of all types of receiving sets. It must fit not alone the best receiving set nor the poorest receiving set. If the former, the public would be required to continually change their receivers;

if the latter, there would be no incentive to improve receivers. A medium must be struck and it is this medium which forms the basis for the allocation plans of the Commission.

"In the establishment of the existing allocation of broadcast stations the Commission has given close attention to the progress made in the art by the manufacturers of radio receiving sets. This has been necessary because there is a close relationship between the selectivity of present-day receivers and the spacing of stations from a geographical standpoint so as to eliminate interference."

Emphasizing the high standards attained by broadcasting stations in the technique of transmission and the importance of equal efficiency in receiving equipment, he said:

"The Commission has diligently endeavored to maintain very high standards for the transmitters of broadcast stations and has insisted on accurate monitoring equipment. These standards are set up in order to give the best possible service to the listening public. Transmitters with very few exceptions are capable of giving high quality transmission. It is equally imperative in order to satisfy the public that the reception be of the same high quality. What I am endeavoring to drive home is the necessity of the closest possible cooperation between the Commission and your Association, the representative of the designers and manufacturers of receiving sets. The Commission invites such cooperation to the end that the 'public interest, convenience and necessity' may be best served.

"On account of the many developments in the field of radio transmission, particularly with respect to the use of directional antenna, synchronous operation of stations, and television, and the problems in allocation which will naturally flow from the North American Conference to be held in Mexico City this summer, in my opinion, it is quite imperative that a very close liaison be kept between your Association and the Commission."

DIRECTIONAL ANTENNA AUTHORIZED

The Federal Radio Commission this week authorized WORC-WEPS, Worcester, Mass., to install a 3-element directional antenna system. The use of the directional system will permit a change of frequency from 1200 to 1280 kilocycles and a power increase from 100 watts to 500 watts, experimentally, with the proviso that the grant will be terminated if interference results to other stations on the same or adjacent frequencies. Commissioner La Fount opposed the grant.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

The hearing involving the applications of KECA, KFBK, and the Don Lee Broadcasting System for the facilities of KTM and KELW, and the applications of KTM and KELW for renewals of licenses and voluntary assignments of licenses will be held Monday, June 12, 1933.

June 14, 1933, before Commission en banc

Oral argument in re the applications of the International Broadcasting Corp. and the National Union Indemnity Association, of Shreveport, La., WWL, and WSPA for facilities of KWKH, Shreveport, La., and the application of KWKH for renewal of license.

June 15, 1933

NEW—Philip J. Wiseman, Lewiston, Maine—Construction permit for new station to use **640 kc.**, 500 watts, limited time.

APPLICATIONS GRANTED

First Zone

WCAC—Connecticut Agricultural College, Storrs, Conn.—Granted special temporary authority to operate certain specified hours.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate certain specified hours.

WORC-WEPS—Alfred Frank Kleindienst, Worcester, Mass.—Granted authority to change frequency from **1200 kc.** to **1280 kc.** and increase power from 100 to 500 watts experimentally with directional antenna.

Second Zone

WJAC—Johnstown Automobile Co., Johnstown, Pa.—Granted consent to voluntary assignment of license to WJAC, Inc.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted authority to reduce power temporarily.

Third Zone

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted construction permit to install new transmitter.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted construction permit to install new equipment and increase power from 1 KW to 5 KW, and move transmitter locally.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted license covering move of station from Knoxville.

Fourth Zone

WEW—St. Louis University, St. Louis, Mo.—Granted authority to discontinue operation from June 15 to August 1.

WNAX—House of Gurney, Yankton, S. Dak.—Granted a modified construction permit to install a new transmitter and increase daytime power to 2½ KW.

Fifth Zone

KGEK—Elmer G. Beehler, d/b as Beehler Electrical Equipment Co., Yuma, Colo.—Granted modification of license to change name to Elmer G. Beehler, and to change certain specified hours.

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted license, **1370 kc.**, 100 watts, shares with KICA.

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted license, **1310 kc.**, 100 watts, daytime.

APPLICATIONS SET FOR HEARING

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to make changes in equipment to increase power to 100 watts.

KSO—Iowa Broadcasting Co., Des Moines, Iowa—Construction permit to install new transmitter, move transmitter locally, change frequency from **1370 kc.** to **1120 kc.**, and increase operating power (facilities of WIAS).

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power from 250 watts to 500 watts.

NEW—Leo J. Omelian, Erie, Pa.—Application for construction permit for new broadcasting station at Erie set for hearing because of protests made by Broadcasters of Pennsylvania, Inc., Station WLBW. Grant made by Commission on May 9, 1933, suspended pending outcome of hearing.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Application for modification of license for increase time set for hearing because of protest of Earle C. Anthony, Inc., Station KECA. Grant made May 12 suspended pending outcome of hearing.

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Renewal of license.

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of license to change hours from limited with KPO to unlimited.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to increase hours of operation from specified to unlimited.

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to increase hours from specified to unlimited.

NEW—State Investment Co. (formerly Nelson Bros. Bond & Mortgage Co.), Chicago, Ill.—Application for construction permit for new station to use **560 kc.**, 1 KW night and 1½ KW LS, unlimited time. Transmitter at Lake County, Ind., studio at Gary Ind. (Facilities of WJKS in so far as use of **560 kc.** is concerned.)

MISCELLANEOUS COMMISSION ACTION

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. Modification of license to move main studio to Los Angeles, heretofore set for hearing, was dismissed at request of applicant.

NEW—Hager & Hunter, Owatonna, Minn.—Construction permit for new station heretofore set for hearing, was dismissed at request of applicant.

WIBO and WPCC—Nelson Bros. Bond & Mortgage Co., Chicago, Ill., and North Shore Church, Chicago, Ill.—Dismissed petition and supplemental petition asking for reconsideration and reopening of Commission's decision of October 6, 1931, whereby the facilities of these stations were granted to WJKS, Gary, Ind., on the ground that the Commission is without authority to take such action.

APPLICATIONS RECEIVED

First Zone

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to change name of licensee to Connecticut State College and increase power from 250 watts and 500 watts.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—License to cover construction permit to move transmitter from Easton to Bridgeport.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Modification of license to increase power from 250 watts, 500 watts LS, to 500 watts night experimentally and 500 watts day, amended to omit "experimentally."

Second Zone

None.

Third Zone

KWKH—Hello World Broadcasting Corporation, Shreveport, La.—Consent to voluntary assignment to International Broadcasting Corporation.

WSOC—WSOC, Inc., Gastonia, N. C.—Construction permit to move transmitter and studio from Gastonia to Charlotte, N. C., and make changes in equipment.

Fourth Zone

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Modification of license to increase hours of operation from specified to unlimited.

WCAJ—Nebraska Wesleyan University, Lincoln, Nebr.—Modification of license to increase power from 500 watts to 1 KW (filed under Rule 6-g—facilities of WOW in terms of quota units).

WGES—Oak Leaves Broadcasting System, Inc., Chicago, Ill.—Modification of license to change hours of operation from sharing with WJKS to specified hours, amended to change specified hours.

NEW—John L. Hopkins, Hammond, Ind.—Construction permit for new station to use **1360 kc.**, 1 KW, share with WGES. Requests facilities of WJKS, Gary, Ind., when that station shifts to **560 kc.**

NEW—State Investment Co., Gary, Ind.—Construction permit for new station at Gary, site to be determined, **560 kc.**, 1 KW, 1½ KW day, unlimited time subject to filing of similar application by North Shore Church, then share with that station. Facilities of WJKS in so far as **560 kc.** is concerned.

Fifth Zone

KNX—Western Broadcast Company, Los Angeles, Calif.—Special experimental authorization to increase power from 25 KW to 50 KW.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to change transmitter location and increase power amended to request famililies in terms of quota units of former Station KGEF (now assigned to KFAC).

KFXD—Frank E. Hurt, Nampa, Idaho—Consent to involuntary assignment of license to H. L. Peterson.

NEW—Hilo Broadcasting Co., Ltd., Hilo, T. H.—Construction permit for new station filed by Otis Hill to use **1210 kc.**, 100 watts daytime, amended as to name of applicant and to request 8 hours day.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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CONGRESS ADJOURNS JUNE 16

The special or first session of the Seventy-third Congress adjourned sine die early Friday morning, June 16. The session commenced on March 9 upon call of President Roosevelt just four days after his inauguration.

The session was called for the purpose of enacting into law the President's emergency program and took no action on any of the radio broadcasting measures introduced. All of these bills, however, will be before the Congress when it meets in regular session next January.

The only action on any radio bill was a hearing before the House Merchant Marine, Radio, and Fisheries Committee on the short wave bills introduced by Representative Ludlow, Indiana. These bills have not yet been reported. Neither of them affect broadcasting.

INDUSTRIAL RECOVERY BILL ENACTED

President Roosevelt on Friday, June 16, approved the National Industrial Recovery Act which was enacted by Congress just before adjournment.

The keystone of President Roosevelt's emergency program, the bill affects every industry which is engaged in interstate commerce. With several minor changes, the bill as it became law embodies the outline of its provisions printed in NAB Reports, Vol. 1, No. 14, page 59.

The NAB is now giving careful study to the bill with a view to the preparation of an outline setting forth the manner in which it affects broadcasting.

Upon signing the bill, President Roosevelt said:

"History probably will record the National Industrial Recovery Act as the most important and far-reaching legislation ever enacted by the American Congress. It represents a supreme effort to stabilize for all time the many factors which make for the prosperity of the nation, and the preservation of American standards.

"Its goal is the assurance of a reasonable profit to industry and living wages for labor with the elimination of the piratical methods and practices which have not only harrassed honest business but also contributed to the ills of labor.

"While we are engaged in establishing new foundations for business which ultimately should open a return to work for large numbers of men, it is our hope through the so-called Public Works section of the law to speedily initiate a program of public construction that should early re-employ additional hundreds of thousands of men.

"Obviously, if this project is to succeed, it demands the wholehearted cooperation of industry, labor and every citizen of the nation."

At the same time the President announced that administration of the bill would be in charge of General Hugh Johnson and that Col. Donald H. Sawyer would serve as temporary public works administrator. He also announced the personnel of the Industrial Recovery Board, which will include the Secretary of Commerce as chairman, the Secretary of Agriculture, the Secretary of Labor, the Secretary of the Interior, the Director of the Budget, the chairman of the Federal Trade Commission, and General Johnson.

U. S. RADIO DELEGATION MEETS

A meeting of the main committee preparing for the radio conference which will open in Mexico City on July 10 was held Monday, June 12. Judge E. O. Sykes, Chairman of the Federal Radio Commission and Chairman of the United States Delegation, and Honorable Schuyler O. Bland, Chairman of the House Committee on Marine, Radio, and Fisheries, were present. Judge Sykes presided over the meeting. The delegates received reports from the various subcommittees which have. since late in February, been collecting technical data concerning the many problems confronting the delegation. The delegates will make a report to the Department of State and doubtless will receive instructions on the controversial issues.

To date there has been no announcement concerning the technical advisers to the U. S. delegates.

NAB SECTIONS MEET JUNE 26, 27

Members of the NAB were sent this week programs for the annual meetings of the NAB Engineering and Commercial Sections which will be held at Chicago, Ill., June 26, and Grand Rapids, Mich., June 27, respectively.

The Engineering Section meeting will be held at Hotel Sherman, Chicago, Ill., at 9:30 a. m., Monday, June 26, during the Eighth Annual Convention of the Institute of Radio Engineers and the program has been worked out in cooperation with officials of the Institute so as not to interfere with the main sessions of the IRE convention.

The Commercial Section meeting will be held at the Civic Auditorium, Grand Rapids, Mich., at 9:30 a. m., Tuesday, June 27, in connection with the Twenty-ninth Annual Convention of the Advertising Federation of America. The NAB Commercial Section meeting has been scheduled so as not to interfere in any way with the regular sessions of the AFA convention.

Grand Rapids is less than 150 miles from Chicago and members will be able to attend both Section meetings and combine a visit to the Century of Progress with the trip.

Members are urged to make hotel reservations promptly. Reduced railroad fares have been secured for both the IRE and AFA conventions.

POST OFFICE CLARIFIES FAN MAIL RULING

Members of the NAB this week were sent copies of a letter by Solicitor Karl A. Crowley of the Post Office Department addressed to the NAB Managing Director affirming a ruling by his predecessor, Horace J. Donnelly, relating to the forwarding of broadcast fan mail. The ruling was made following a series of conferences between the Solicitor and the NAB Managing Director and the editor of *Broadcasting*. The letter affirms the ruling of the Post Office Deparment as published in the April 1, 1933, issue of *Broadcasting* and in NAB Reports, Vol. 1, No. 8, page 31.

Mr. Crowley's letter stated:

"At the request of Mr. Harlee Branch, Executive Assistant to the Postmaster General, I have re-examined and considered the ruling of Mr. Donnelly, my predecessor as Solicitor for the Post Office Department, dated March 14, 1933, relating to the forwarding of "fan" mail by radio stations to sponsors of radio programs directly or through essential intermediaries.

"The ruling has been approved and is now in effect. The ruling referred to is published in full text in April 1, 1933, issue of *Broadcasting* magazine."

Stations located in most of the larger cities were sent copies of the ruling as published in the magazine and copies of Solicitor Crowley's letter with a suggestion that these stations bring the ruling to the attention of their postmasters.

POWER TAX PROVISION CHANGED

During the last week of the special session of Congress, the House and Senate agreed upon a provision in the so-called gas tax bill under which the tax on electrical energy after September 1, 1933, must be borne by the power companies. The new provision of the law amends the Revenue Act of 1932 under which the three per cent tax was imposed upon commercial and domestic users of electrical energy. Over the protest of the NAB, the Commissioner of Internal Revenue has ruled that broadcasting companies were commercial users of power and therefore subject to the tax. Under the new law this tax must be borne by the power companies after September 1, 1933.

As enacted the law reads as follows:

"Sec. 6. (a) Effective September 1, 1933, section 616 of the Revenue Act of 1932 is amended to read as follows:

'Sec. 616. Tax on electrical energy for domestic or commercial consumption.

'(a) There is hereby imposed upon electrical energy sold for domestic or commercial consumption and not for resale a tax equivalent to 3 per cent of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe. The sale of electrical energy to an owner or lessee of a building, who purchases such electrical energy for resale to the tenants therein, shall for the purposes of this section be considered as a sale for consumption and not for resale, but the resale to the tenant shall not be considered a sale for consumption.

'(b) The provisions of sections 619, 622, and 625 shall not be applicable with respect to the tax imposed by this section.

'(c) No tax shall be imposed under this section upon electrical energy sold to the United States or to any State or Territory or political subdivision thereof or the District of Columbia. None of the provisions of this section shall apply to publicly owned electric and power plants. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may, by regulation, prescribe.'

"(b) Despite the provisions of this section the tax imposed under section 616 of the Revenue Act of 1932 before its amendment by this section on electrical energy furnished before September 1, 1933, shall be imposed, collected, and paid in the same manner and shall be subject to the same provisions of law (including penalties) as if this section had not been enacted."

RADIO OMITTED FROM REORGANIZATION

The Federal Radio Commission was not included in the reorganization proposals submitted to the Congress during the week by President Roosevelt. The executive orders were confined to the reorganization of certain government services which will result in a saving of $25,000,000. The fact that the Radio Commission was not included in these orders is taken as an indication that no change in the status of that body is contemplated, for the present, at least. Whether further reorganizations will be forthcoming when Congress returns next January is a matter for conjecture at this time.

FOOD AND DRUGS REVISION BILLS

Identical bills (S. 1944 and H. R. 6110) were introduced in the Senate and House on June 13 by Senator Copeland of New York and Congressman Sirovich of New York, providing for a general revision of the food and drugs law and for the prevention of false labeling and advertising of food, drugs, and cosmetics.

The bills were drafted by the Department of Agriculture, and while no action was taken on them during the special session, it is expected that hearings will be held during the regular session beginning next January. The Senate bill was referred to the Senate Committee on Commerce and the House bill was referred to the House Interstate and Foreign Commerce Committee.

Section 9 of the bill provides that an "advertisement of a food, drug, or cosmetic shall be deemed to be false if in any particular it is untrue, or by ambiguity or inference creates a misleading impression regarding such food, drug or cosmetic."

Section 17 of the bill prohibits "the dissemination of any false advertisement by radio broadcast, United States mails, or in interstate commerce for the purpose of inducing, directly or indirectly, the purchase of food, drugs, or cosmetics" but another paragraph of the same section exempts any publisher, advertising agency or radio broadcast station from penalties "if on request of an officer or employee duly designated by the Secretary, he furnishes the name and post office address of the person who contracted for or caused him to disseminate such advertisement."

Secretary of Agriculture Wallace made public the following digest of the bill:

"(1) The prevention of false advertising. The need for the control of serious abuses in this field is generally recognized.

"(2) The inclusion of cosmetics. Serious injuries have occurred through the sale and use of cosmetic products of a character harmful to the user. The practice of deceptive labeling and advertising of such products should be regulated.

"(3) The establishment of tolerances for added poisons in foods. A complete elimination of all poisonous substances from foods may be impossible. Where the presence of poisons is unavoidable, their amounts should be kept so low that by no possibility will the food be harmful to health. The present law contains no provision authorizing the establishment of tolerances for poisons, but imposes upon the Government the obligation of showing affirmatively in every case that a food containing poisonous substances may be harmful to health independent of similar adulterations prevailing extensively in other foods.

"(4) Authority for the Secretary, after notice and hearing, to promulgate definitions and standards for foods which will have the force and effect of law. Under the present law such authority extends to the field of canned foods only. Legal food standards like those now existing for official drug products are essential for efficient enforcement operations.

"(5) Power to require manufacturers to procure in certain cases Federal permits. This method of regulation will be invoked in those instances only where a menace to health is involved and where adequate protection to the public cannot be effected through the other provisions of the bill.

"(6) The control of drug products on the basis of therapeutic claims which are contrary to the general agreement of medical opinion. This removes the burden imposed by the present law of proving not only that such statements are false but that they were made with fraudulent intent on the part of the manufacturer. This has seriously handicapped the department in the extension of adequate protection to the public in the purchase of drugs labeled as treatments for various diseases.

"(7) Requirement of informative labels. With one or two minor exceptions the present food and drugs act contains no positive labeling requirement. It merely prohibits false or misleading statements and these prohibitions are to some extent minimized by excepting provisos. A disclosure on the label of sufficient facts to enable intelligent and discriminating buying will operate unquestionably to the advantage of the consumer."

NAB PROTESTS UNLICENSED STATIONS

Acting upon complaints from members, the NAB on June 13 addressed a letter to the Federal Radio Commission asking that prompt action be taken by the Government against unlicensed broadcasting stations now operating in Texas and other states.

The following news item, which appeared in the Brownwood, Texas, *Bulletin*, May 17, was attached to the letter:

"Terms of 'Illegal,' 'Bootleg' and 'Unlawful' that have been used in referring to Texas independent radio stations operating without federal licenses are unfair and misleading, members of the board of directors of the Texas Independent Radio Advertising Association said at a meeting here today. The radio station operators met here in a luncheon conference at Hotel Brownwood.

"Members of the board of directors are: E. J. Turner, Denton, and Howard Cox, Temple, North Texas District; Sam Morris, Stamford, and A. W. Stewart, Brownwood, West Texas District; W. A. Needham, Taylor, and Bill Lowry, Austin, South Bend District. B. W. Downing of Belton is president of the Association.

"Thirty-five stations were represented in person or by proxy at today's meeting. There are 57 stations in Texas eligible for membership, most of which have joined the organization.

"The board maintains that as long as the stations do only intrastate broadcasting they are violaing no laws or regulations and are within their rights. These stations can be regulated only by the State, the operators say.

"Gus Rosenburg, President of the Chamber of Commerce, attended the luncheon and made a talk. Tom Posey of Brownwood also was a guest.

"The visitors were entertained by Alton W. Stewart, operator of the Heart of Texas station here."

The Commission indicated that it had collected evidence against a number of the unlicensed stations and was prepared to institute prosecution under the Radio Act of 1927.

LAFOUNT PLANS COAST TRIP

The Federal Radio Commission will carry on regular operations during the summer months although individual commissioners will be away from Washington from time to time on inspection tours and other official business.

For the first time in three years, Commissioner Lafount will make an official inspection of his fifth zone, including the Pacific states and the Rocky Mountain area. Leaving Washington early in July, he plans to stop in the larger cities and to hold conferences with broadcasters on problems of mutual concern. He will be away from Washington about six weeks.

Mr. Lafount's proposed itinerary is as follows:

Salt Lake City, July 6-7; Ogden, Utah, July 8; Pocatello, Ida., July 9; Idaho Falls, Ida., July 9; Butte, Mont., July 10; Great Falls, Mont., July 10; Spokane, Wash., July 12; Seattle, Wash., July 13-14; Tacoma, Wash., July 15; Portland, Ore., July 17; Sacramento, Cal., July 19; San Francisco, Cal., July 20-21; San Jose, Cal., July 22; Los Angeles, Cal., July 23-25; Long Beach, Cal., July 26; Santa Monica, Cal., July 26; Santa Ana, Cal., July 27; San Diego, Cal., July 28; El Centro, Cal., July 29; Phoenix, Ariz., July 30; Tucson, Ariz., July 31; El Paso, Tex., Aug. 1; Albuquerque, N. M., Aug. 2; Pueblo, Colo., Aug. 3; Colorado Springs, Colo., Aug. 3; Denver, Colo., Aug. 4-5.

Commissioner Starbuck contemplates an inspection of radio operations of leading airlines beginning late in the summer. His itinerary has not yet been arranged.

Commissioner Hanley is scheduled to deliver the dedicatory address over KICK in connection with that station's opening on June 19 at Carter Lake, Iowa, near Council Bluffs.

COMMISSION APPROPRIATION APPROVED

The Independent Offices Appropriation Bill, containing an appropriation of $640,000 for the Federal Radio Commission for the fiscal year beginning on July 1, 1933, was approved by Congress on June 15, just prior to adjournment.

This amount is $140,000 less than the sum allocated to the Commission for the fiscal year which ends on June 30, and although the Commission has already effected a number of economies, further reductions in expenses will have to be worked out to stay within the curtailed appropriation. Indications are that the Commission, during the coming week, will adopt either a system of furloughs for present employees or announce further dismissals from the service.

COPIES OF SECURITIES ACT MAILED

Within the next few days members of the NAB will receive copies of the Securities Act of 1933, which provides for the full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails. An analysis of the bill was contained in NAB Reports, Vol. 1, No. 14, page 58. The copies of the law being sent to members will be punched to fit into the NAB Handbook binder. It is urged that all members read the act carefully and then insert it in the handbook for future reference.

UIR AND NAB EXCHANGE PUBLICATIONS

The first step in bringing together in closer collaboration the Union Internationale de Radiodiffusion and the NAB was taken when the Bureau of the Council of the UIR at Geneva recently approved a regular exchange of publications between the NAB and the UIR. The decision of the Bureau was communicated in a letter from A. R. Burrows, Secretary-General of the Union, to the Managing Director and expresses the hope that still closer collaboration may be possible in the future. The UIR is the fact-gathering body for broadcasting organizations in European countries and was active in behalf of broadcasting interests at the International Radio Conference held at Madrid last fall.

AUSTRALIAN PRAISES NAB REPORTS

J. Malone, chief inspector (wireless), Postmaster-General's Department, Melbourne, C. 2, Australia, has included a word of praise for NAB Reports in his recent communication to the Managing Director. "I think the new form is a distinct improvement and the change is appreciated by us who are readers of all that you send out," Mr. Malone writes. For more than a year the NAB has been exchanging information with Mr. Malone's department which is responsible for radio broadcasting in Australia.

500,000-WATT STATION FOR MEXICO

The Secretary of Communications at Mexico City has granted permission to Senor Gumaro Lazarraga, of Matamoros, to construct a 500,000-watt radio broadcasting station in Matamoros, which will be the most powerful in the world, according to a report from Vice Consul Henry G. Krausse, Matamoros, Mexico, made public by the Commerce Department.

The owner of this concession is not known in Matamoros, and as yet plans regarding construction and operation of the station have not been made public, the report said.

The station has been assigned the call letters WEM.

ASCAP CAMPAIGN AGAINST RESTAURANTS

Latest reports indicate that the campaign of the American Society of Composers, Authors and Publishers against small restaurants has now spread to Michigan and Nebraska. So far there has been no indication that ASCAP intends to live up to the pledge it made a year ago to the House Committee on Patents. The victims of this campaign should communicate with their Congressmen and Senators, or directly with Hon. William I. Sirovich, Chairman of House Patents Committee, Washington, D. C., to whom the ASCAP pledges were made.

McCOSKER NAMES NEW COMMITTEE

President Alfred J. McCosker of the NAB this week named William S. Hedges, KDKA, Pittsburgh, Pa., Leo Fitzpatrick, WJR, Detroit, Mich., and Henry A. Bellows, vice president of the Columbia Broadcasting System, as a committee to cooperate with committees of the Radio Manufacurers Association and the Institute of Radio Service Men in the development of a public relations campaign for the radio industry.

MORE INDEPENDENT MUSIC AVAILABLE

The American Music Corporation, 1619 Broadway, New York, Sam Wigler, manager, is sending copies of the following compositions to all member broadcasting stations:

"Looking Forward" (title based on President Roosevelt's book).
"I'm Crooning A Love Song To Heaven" (ballad).
"Song Of The Legionnaire" (fox-trot).
"Your Uncle's Ankle" (comedy-novelty fast fox-trot).
"Just Another Dream Gone Wrong" (fox-trot).

The copies of this music sent to stations will bear this imprint:

"By arrangement with the Radio Program Foundation all broadcasting stations are authorized publicly to perform the within composition for profit, without the payment of a copyright fee."

Because member broadcasting stations are assured of the unrestricted use of this music, it is suggested by Oswald F. Schuette, NAB copyright director, that, so far as it meets the musical standards of their Program Departments, preference be given to this music over that published by members of ASCAP, whose music is subject to constant restriction.

MILLS RETURNS FROM EUROPE

E. C. Mills, general manager of the American Society of Composers, Authors and Publishers, returned from Europe on June 9 aboard the S. S. *Aquitania*. While abroad he attended the conference of European performing rights societies which was held in Copenhagen.

WIRED RADIO IN CLEVELAND

Information from reliable sources is to the effect that the stage is set in Cleveland, Ohio, for a tryout there of wired radio. The latest information is to the effect that two sub-stations of the Bell Telephone Company have been especially equipped for the service. Apparently about all that is holding it back is the depression. There will have to be an improvement in general conditions, advices say, before the experiment is actually started, but it is said they are ready to start immediately whenever they receive the word to go.

A recent demonstration in Washington, D. C., by the Bell Laboratories, under the auspices of the National Academy of Sciences, whereby there was reproduced in the city of Washington, by wire, a program by the Philadelphia Symphony Orchestra playing in Philadelphia, aroused considerable speculation concerning a possible new competitor of broadcasters.

HEDGES TAKES CHARGE OF KDKA

William S. Hedges, president of the NAB during 1928 and 1929 and chairman of the Executive Committee during 1930, assumed the management of Station KDKA, Pittsburgh, Pa., on June 16. Hedges, who is well known throughout the broadcasting industry, began his radio career in 1922 as manager of Station WGU in Chicago which later became Station WMAQ. Later he became president of the latter station and more recently was a member of the executive staff of the Chicago offices of the National Broadcasting Company.

WFIW TO MOVE TO LOUISVILLE

The Radio Commission on Friday sustained Chief Examiner Yost in his Report No. 449 by granting Station WFIW, Hopkinsville, Ky., a license renewal to operate on 940 kilocycles, 1000 watts power, unlimited time, and authority to move the station to Louisville, Ky. In the same opinion the Commission denied Station WLAP, Louisville, Ky., permission to have the facilities of WFIW for which it had applied.

It was found by the Commission that WFIW presented a definite plan for the use of the regional facilities "that affords reasonable assurance that no substantial increase in interference in the reception of stations assigned to the 940 kilocycle frequency would be caused by the proposed change in the allocation of these facilities." It appeared further, says the Commission, that in the case of WLAP "the operation of this applicant's station on the 940 kilocycle frequency would result in increased interference in the reception of at least one other station." It was further found by the Commission that the operation of WLAP would cause blanketing effects against the reception of other stations in an area having a relatively large population.

WKRC DIRECTIONAL ANTENNA AUTHORIZED

The Commission sustained Chief Examiner Yost in his Report No. 446 in the case of Station WKRC, Cincinnati, Ohio. The Commission in part granted a renewal of license to the station so as to authorize its continued operation on 550 kilocycles, with 500 watts power, unlimited time, and granted special experimental authority to operate with an additional 500 watts output on the condition that such additional power be used in such manner that the field intensities of WKRC radiated in the direction of St. Louis and Buffalo are of no greater value than the intensities radiated in those directions by the station when employing 500 watts power and its present antenna.

It is stated by the Commission in its decision that the station now causes interference with other stations operating on the same frequency. It is further pointed out that if the applicant's "proposed experiments with a directional antenna prove successful the applicant will be able to continue the operation of Station WKRC with 1,000 watts power, maintain the present service area of the station, and at the same time materially reduce existing interference in the reception of other stations assigned to the 550 kilocycle frequency."

COMMISSION APPROVES KMBC MOVE

Station KMBC, Kansas City, Mo., was granted permission by the Radio Commission to move from Independence, Mo., to Kansas City, Kans., sustaining Report No. 478 of Examiner R. H. Hyde.

Moving of the station as proposed, it was found by the Commission, "would improve the service of the station as it affects a substantial number of people in the logical or natural service area of the station."

Granting of permission for the move would not change the quota of broadcast facilities assigned to the State of Kansas, the Commission states.

NORTH CAROLINA STATION GRANTED

Chief Examiner Yost in his Report No. 477 was sustained by the Commission by its granting to William A. Wynne permission to construct a new broadcasting station at Greenville, N. C., to operate on a frequency of 1420 kilocycles, 100 watts power daytime operation.

It was found by the Commission that there is a need for the proposed broadcast service in the area of Greenville and that "the application being from an under quota state and for facilities which would not cause interference with any other station or stations now licensed may be granted in conformity with Rule 6 (f) of the Commission's Rules and Regulations."

RECOMMENDS ADDED POWER FOR WMAS

Station WMAS, Springfield, Mass., asked to increase its power from 100 watts to 250 watts local sunset. The station operates on a frequency of 1420 kilocycles. Report No. 487 (Yost, c. e.). Recommended that application be granted.

The Chief Examiner found that by granting the application no objectionable interference would result; and that "the people residing within the service area of Station WMAS are entitled to the improved radio service which the granting of the application would provide." It was further found by the Examiner that the State of Massachusetts is due 11.84 units of radio broadcasting facilities and is assigned 10.46 units. The granting of this application, says the Chief Examiner, "would increase the present under quota status of Massachusetts by .1 of a unit."

WJBY TEMPORARY LICENSE FAVORED

Station WJBY, Gadsden, Ala., applied to the Commission for license renewal using 1210 kilocycles, 100 watts power unlimited time; for permission to move locally and to change equipment. Report No. 485 (Yost, c. e.). Recommended that the station be allowed to move locally, change its equipment and that the license be renewed "temporarily, pending Commission action on other applications from the State of Alabama now on file with the Commission."

The Examiner found that the applicant is qualified to operate the station but that the station was moved and made changes in its transmitter in violation of Commission rules.

It was found further by the Examiner that the station has not at all times operated in accordance with the Commission rules but it was found also that "the continued operation of Station WJBY and the change of transmitter location as proposed by applicant, would serve public interest, convenience and necessity."

PENNSYLVANIA AUTHORIZES CONCERTS

Act No. 308 of the Pennsylvania Legislature, which became law on approval June 2, 1933, legalizes the receiving of compensation by musicians for Sunday concerts, the rendering and broadcasting of the same after twelve o'clock noon, and the charging of an admission fee thereto, provided that authorization is obtained from the Department of Public Instruction and any excess admission fees over the actual expenses are paid to the Department. The Department may authorize concerts provided they maintain music of a high order although not necessarily what is known as sacred music.

CALIFORNIA SHORT WAVE ACT VETOED

The California Legislature, like many others, passed an act relating to the maintenance and use of short wave radio receiving sets in vehicles, one of the principal features of which was to prohibit the use of sets capable of receiving above 1500 kilocycles in private automobiles without a permit. The act, however, met an unusual fate in that it was vetoed by the Governor on June 12, 1933.

WISCONSIN FAVORS EXEMPTION

Passage by the Senate on June 9, 1933 of the Grimes Bill, No. A. 252, which had previously passed the Assembly, leaves solely in the hands of the Governor the question of adding radio receiving sets to the list of household furniture exempt from taxation in Wisconsin.

RADIO EMPLOYMENT UP

The May index number for radio employment increased from 67.2 in April to 81.3 in May compared with 61 in May of last year taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. Payroll index number for May was 62.3 compared with 50.5 in April and 53.6 in May of last year.

ASKS RADIO INVESTIGATION

Shortly before Congress adjourned Representative Ellzey of Mississippi introduced a resolution (H. Res. 181) asking for the appointment of a committee of ten members of the House to carry on a complete radio investigation.

The resolution asks for an investigation "(a) the manner in which the Federal Radio Commission is carrying out the provisions of the Davis amendment; and the reasons for any inequalities, injustices, or lack of consistency that might develop from such investigation; (b) the extent to which the two large chain networks have been favored by the activities, regulations, and decisions of the Commission against independently owned and operated radio stations; (c) the extent to which broadcasting stations in the United States are under the control of either of the two large networks by ownership, lease, stock control, or other devices; (d) the extent to which annual license fees properly may be assessed for the privileges of using licenses issued by the Government authorizing the operation of radio broadcasting stations and (e) such other matters pertaining to the business of radio broadcasting stations and chains or networks or other broadcasting companies or systems as the committee may in its discretion determine to be necessary or advisable under the circumstances."

The resolution was referred to the Committee on Rules of the House. No action was taken before adjournment.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

June 19, 1933

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power from 500 watts to 1 KW experimentally, **610 kc.**

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW, **560 kc.**

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW, **560 kc.**

June 20, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 watts to 500 watts, **600 kc.**

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to increase power from 250 watts, 500 watts LS, to 500 watts.

June 21, 1933

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to change hours from limited time to unlimited, **830 kc.**

June 22, 1933

WBCM—James E. Davidson, Bay City, Mich.—Special experimental authority to increase power from 500 watts to 1 KW, **1410 kc.**

NEW—Raymond M. Brannon, Fremont, Nebr.—Construction permit for new station to use 100 watts on **1500 kc.**, daytime (facilities of KFOR).

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Renewal of license, 100 watts, 250 watts LS, **1210 kc.**

June 23, 1933

WJJD—WJJD, Inc., Mooseheart, Ill.—Renewal of license, **1130 kc.**, 20 KW, limited time.

TENTATIVE HEARING CALENDAR

(Dates subject to change)

June 26, 1933

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modification of license to increase power from 250 watts to 500 watts, 1 KW LS.

WRUF—University of Florida, Gainesville, Fla.—Renewal of license.

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to increase power from 50 watts to 100 watts.

June 27, 1933

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Modification of license to increase hours of operation.

WLB—University of Minnesota, Minneapolis, Minn.—Modification of license to increase hours of operation.

WCAL—St. Olaf College, Northfield, Minn.—Construction permit to increase day power, and modification of license to increase hours of operation.

June 28, 1933

Oral argument before Commission en banc in re Examiner's Report No. 479, relative to applications of Herman Radner, Lansing, Mich., and Capital City Broadcasting Co., Lansing, Mich., for construction permit for new station.

June 28, 1933

WAMC—Raymond C Hammet, Anniston, Ala.—Construction permit to move station to Muscle Shoals.

June 30, 1933

Hearing involving the applications of WFOX, WARD, WLTH, and WBBC for modifications of licenses and renewals of licenses, and application of WARD for construction permit to move transmitter.

July 6, 1933

NEW—Leo J. Omelian, Erie, Pa.—Construction permit for new station to use **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

July 7, 1933

WNBW—WNBW, Inc., Carbondale, Pa.—Renewal of license, and involuntary assignment of license.

APPLICATIONS GRANTED

First Zone

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Granted authority to remain silent on Monday nights from August 7 to September 4.

WGNY—Peter Goelet, Chester Township, N. Y.—Granted authority to operate from 6 to 9 a. m. for one week to make field intensity survey.

WICC—Bridgeport Broadcasting Station, Inc, Bridgeport, Conn.—Granted license covering move of transmitter from Easton to Bridgeport, **600 kc.**, 250 watts night, 500 watts day.

Second Zone

WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Granted special temporary authority to operate a maximum of 4 hours daytime only simultaneously with Station WILM for period July 1 to January 1, 1934.

WJSV—Old Dominion Broadcasting Corp., Alexandria, Va.—Granted regular license, with certain requirements and restrictions, to operate on **1460 kc.**, 10 KW, unlimited time.

Third Zone

WKFI—J. Pat Scully, Greenville, Miss.—Granted authority to remain silent for 90 days to rebuild transmitter.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted full-time operation upon a special authority for experimental purposes, in keeping with previous action, since WGES has withdrawn protest.

Fourth Zone

KGIZ—Grant City Park Corp., Grant City, Mo.—Granted renewal of license and dismissed application from hearing docket.

KGCA—Charles W. Greenley, Decorah, Iowa—Granted authority to remain silent from July 15 to July 23 to permit employees to take a vacation.

WBAA—Purdue University, W. LaFayette, Ind.—Granted special temporary authority to operate from 1:45 p. m. to 5 p. m. CST October 7, with power of 1 KW provided WKBF remains silent.

KFDY—S. Dak. State College, Brookings, S. Dak.—Granted special temporary authority to operate from 2 to 3 p. m. CST June 30, provided KFYR remains silent.

WJKS—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted construction permit to install new equipment only.

Fifth Zone

KUJ—KUJ, Inc., Walla Walla, Wash.—Granted renewal of license, **1370 kc.**, 100 watts, 6 a. m. to local sunset; also renewed special authority permitting unlimited time experimentally during next license period.

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted authority to operate nighttime June 19 to broadcast election returns.

MISCELLANEOUS COMMISSION ACTION

NEW—Juan Piza, San Juan, P. R.—Suspended grant of CP issued May 19, 1933, for new station to operate on **1290 kc.**, with 500 watts, unlimited time, because of protest by Radio Corp. of Puerto Rico, and set application for hearing.

KECA—Earl C. Anthony, Inc., Los Angeles, Calif.—Application for construction permit to move transmitter locally, make changes in equipment, increase daytime power, was returned to applicant because it was inconsistent with Rule 49.

APPLICATIONS SET FOR HEARING

KROW—Educational Broadcasting Corp., Oakland, Calif.—Construction permit to increase hours of operation from sharing with KFWI to unlimited; install present equipment of KFWI, and facilities of KFWI requested. Also requests modification of license to change hours from sharing with KFWI to unlimited.

WLWL—Missionary Society of St. Paul The Apostle, New York—Modification of license to increase hours of operation from specified hours to unlimited time. (To be heard by the Commission on September 6.)

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special experimental authority to change frequency from **1210 kc.** to **630 kc.**, increase power from 100 to 250 watts experimentally, and install new equipment.

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Modification of license to increase daytime power from 500 watts to 1 KW.

APPLICATIONS RECEIVED

First Zone

WPCH—Eastern Broadcasters, Inc., New York—Consent to voluntary assignment of license to Knickerbocker Broadcasting Co., Inc.

WQDM—A. J. St. Antoine & E. J. Regan, St. Albans, Vt.—Modification of license to change specified hours of operation.

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—License to cover construction permit for changes in equipment (resubmitted in proper form).

WHN—Marcus Loew Booking Agency, New York—Construction permit to move transmitter from New York City to Astoria, L. I., and install new equipment.

WEVD—Debs Memorial Radio Fund, Inc., New York—Modification of license to increase power from 500 watts to 1 KW, resubmitted without amendment.

NEW—Donald E. Bean and Wendell S. Clark, d/b as The Connecticut Broadcasting Co., Danbury, Conn.—Construction permit for a new station to use 100 watts on **1310 kc.**, daytime, resubmitted.

WGLC—O. T. Griffin & G. F. Bissell, Hudson Falls, N. Y.—Modification of license to increase power from 50 watts night, 100 watts day, to 100 watts day and night.

Second Zone

NEW—Ray M. Thompson, Youngstown, Ohio—Construction permit for a new station to use **1370 kc.**, 100 watts, unlimited time, facilities of WHBD, Mt. Orab, Ohio.

WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—Construction permit to install new transmitter (site to be determined) and increase power from 10 KW to 50 KW.

Third Zone

WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Modification of construction permit for a new station to extend commencement and completion dates to 7-9-33 and 10-9-33, respectively.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Construction permit to move transmitter locally and change equipment, frequency, power, and time from **1200 kc.**, 100 watts, unlimited time, to **590 kc.**, 250 watts, specified hours, amended as to transmitter location and hours of operation.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Special experimental authorization to increase power from 500 watts to 1 KW for term ending 10-1-33.

WSB—The Atlanta Journal Co., Atlanta, Ga.—Modification of 50 KW construction permit to extend completion date to 8-14-33.

Fourth Zone

KGNO—Dodge City Broadcasting Co., Inc., Dodge City, Kans.—License to cover construction permit to make changes in equipment, change frequency from **1210 kc.** to **1340 kc.**, and increase power from 100 watts to 250 watts.

WJKS—Johnson Kennedy Radio Corp., Gary, Ind.—Construction permit to move transmitter locally (site to be determined) and install new transmitter, and change power from 1 KW night, 1¼ KW day, to 1 KW, amended to omit request to move.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Modification of construction permit to increase power to 25 KW to extend commencement and completion dates from 11-1-32 and 1-1-33 to 7-1-34 and 1-1-35, respectively.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Construction permit to make changes in equipment.

KGIZ—Grant City Park Corp., Grant City, Mo.—Construction permit to move station from Grant City to Springfield, Mo., install new transmitter, and change from **1500 kc.**, 100 watts, unlimited time, to **560 kc.**, 500 watts, daytime (facilities of KGBX, Springfield, in terms of quota units).

KGIZ—Grant City Park Corporation, Grant City, Mo.—Voluntary assignment of license to KGBX, Inc.

KGBX—KGBX, Inc., Springfield, Mo.—Modification of license to change hours of operation from unlimited to from local sunset to midnight.

Fifth Zone

KGIR—KGIR, Inc., Butte, Mont.—License to cover construction permit to make equipment changes and increase day power to 1 KW.

NEW—Fred L. Packard, G. Happ and Judge J. W. Schulman, d/b as Acme Broadcasting Co., Huntington Park, Calif.—Construction permit for a new station to use **1300 kc.**, 500 watts, share with KFAC, amended to change transmitter location to "to be determined" as to equipment and name of applicant.

The National Association of Broadcasters
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NAB SECTION MEETINGS ALL SET

Meetings of the Engineering and Commercial Sections of the NAB are scheduled for next week. The Engineering Section will convene at 9:30 a. m. on Monday, June 26, at the Hotel Sherman, Chicago, Ill., and the Commercial Section will meet at 9:30 a. m. on Tuesday, June 27, at the Civic Auditorium, Grand Rapids, Mich.

A meeting of the Program Committee will be held in Chicago on Wednesday.

RICORDI LICENSES AVAILABLE TO NAB

As the cooperative organization of the National Association of Broadcasters, the Radio Program Foundation has acquired the American "air rights" to the 123,000 compositions which make up the world famous catalogue of G. Ricordi & Company of Milan.

Under the contract negotiated by Oswald F. Schuette, president of the Foundation, the latter has the right to grant sublicenses to all broadcasting stations in the United States. Such sublicenses are now available under terms which will be sent to all members in a few days.

American radio listeners, therefore, are at last to hear broadcasts of "Madam Butterfly," "Tosca," "La Boheme," and other Puccini operas as well as the masterpieces of other great composers, whose works have been kept off the air by the past refusal of the Ricordi firm, owners of these copyrights, to make this music generally available for broadcasting purposes. The announcement that this music may now be included in radio programs makes the Radio Program Foundation an important factor in the musical world. It is, at the same time, a decisive victory for the broadcasters in their conflict with the American Society of Composers, Authors and Publishers, for it marks the first step in a constructive solution of that problem. Without weakening the aggressive demands of the industry for protection against ASCAP's arbitrary exactions, the fact that the Foundation has obtained the Ricordi catalogue as the initial step in the creation of an independent pool of radio music guarantees to American listeners that the Foundation will obtain for them the finest music available in the world.

To musicians everywhere the Ricordi catalogue needs no advertisement. The announcement that these works are now available for radio purposes should go far toward creating a new atmosphere in American programs.

Although Ricordi & Co. was organized 125 years ago in Milan, Italy, it has by no means limited its operations to the Italian field of music but has numbered in its lists of composers the great masters of all countries. The lists of writers whose music figures in its catalogue comprises a veritable "Who's Who in Music."

In the field of opera alone, the Ricordi catalogue enumerates works of such great composers as Beethoven, Bellini, Bizet, Boito, Casavola, Catalani, Cimarosa, Donaudy, Donizetti, Flotow, Franchetti, Glinka, Gluck, Goldmark, Gomes, Gounod, Halevy, Herold, Malipiero, Marinuzzi, Mascagni, Mascheroni, Massenet, Meyerbeer, Montemezzi, Mozart, Pergolossi, Penchielli, Puccini, Rossini, Rubinstein, Spontini, Stradella, Verdi, Wagner and Weber.

In symphonic and chamber music, the catalogue lists, among others, such modern composers as Alaleona, Alfano, Casella, Castelnuovo, Tedesco, De Sabata, Lualdi, Malipiero, Mancinelli, Martucci, Molinari, Montemezzi, Panizza, Perose, Pick-Magiagalli, Pizzetti, Respighi, Santoliquido, Tommasini, Toni, Tosti, Veretti, Vittadini and Zandonai.

The catalogue also includes one of the largest selections of band and dance music in the world and thousands of other instrumental and vocal selections compiled from the masters of all countries.

MORE INDEPENDENT MUSIC

The Bernard-Scheib Music Company, 1658 Broadway, New York, has sent broadcasting stations copies of its latest issue "LET'S BEND AN ELBOW," and has notified the Radio Program Foundation that it may be used freely for broadcasting purposes.

TECHNICAL ADVISERS APPOINTED

The United States Delegates to the Central and North American Radio Conference will leave Washington about July 4 for Mexico City.

James W. Baldwin will represent the NAB and will leave for Mexico City in a few days.

The State Department this week announced the list of technical radio advisers to the delegates for the United States for the North American Radio Conference to begin at Mexico City, Mexico, on July 10. The technical advisers include: Dr. Charles B. Jolliffe, Chief Engineer, Federal Radio Commission; Dr. Irvin Stewart, Department of State; Mr. E. K. Jett, Chief, Commercial Communications Section of the Engineering Division, Federal Radio Commission; Mr. Andrew D. Ring, Assistant Chief, Broadcast Section, Federal Radio Commission; Mr. Gerald C. Gross, Chief, International Relations Section, Federal Radio Commission.

RADIO APPEAL DISMISSED

The Court of Appeals of the District of Columbia this week dismissed the appeal of Station KWEA, Shreveport, La., on motion of both the applicant and the Radio Commission.

The Commission granted Station WJBO permission to move from New Orleans to Baton Rouge. KWEA filed an appeal with the Court against the Commission's decision on the ground that at the time the Commission granted this permission it (KWEA) had an application pending to move to Baton Rouge also.

COMMISSION NAMES TWO ATTORNEYS

The Federal Radio Commission announced today the appointment of John Weslev Weeks, of Decatur, Georgia, and Milus A. Nisbet, of Fayetteville, Tennessee, as members of its legal division.

Mr. Weeks is now Judge of the Juvenile Court of DeKalb County, Georgia.

Mr. Nisbet was formerly Secretary to Senator Kenneth McKellar of Tennessee, and is now employed as treasurer and credit manager by the Murray Rubber Company of Trenton, N. J.

Both of these attorneys come to the Commission highly recommended for their legal ability and industry. They are to take office July 1, and will fill the vacancies made by the resignation of Chief Examiner Ellis A. Yost and Examiner Elmer W. Pratt and the promotion of Ralph L. Walker and George H. Hill as examiners.

TEN COMMISSION EMPLOYEES DISMISSED

The Federal Radio Commission announced today that it was forced to dismiss five employees at its headquarters here, and five in the "field," due to reduced appropriations for the fiscal year 1934.

These "separations" were found absolutely necessary because the 1934 appropriation for the Commission was reduced $140,000 by the Budget Bureau which was approved by Congress, compared with the 1933 appropriation.

Because of their faithful service the Commission was loath to dismiss any of the employees but it was found to be absolutely necessary in order to balance its budget. Action by the Commission was delayed until final passage of the Independent Offices Appropriation Bill so the Commission could act in accordance with the law.

To show its interest in the welfare of the employees who were victims of unfortunate circumstances, the Commission is sending the list of "separated" employees to the personnel officers of the newly organized bureaus and commissions set up under recent acts of Congress. Each employee will be given a letter of recommendation regarding his or her efficiency along certain lines.

While the Commission will function as usual, taking care of all essential matters with dispatch, it will be necessary to "double up" in the work in some instances as the remaining employees must absorb considerable additional work.

The appropriation for the Commission for 1934 is $640,000 compared with $780,587 for the fiscal year 1933. For the fiscal year 1932 the Commission's appropriation was $454,197 and the appropriation for the Radio Division of the Department of Commerce $490,000. During 1932 the Radio Division of the Department of Commerce was transferred to the Federal Radio Commission under an Executive Order.

Now all the work heretofore performed by the two institutions is being done by the Radio Commission so that the merger has brought about a saving of more than $300,000.

URGES MORE LOCAL CHANNELS

Commissioner Hanley, in a speech at the dedication of Station KICK, Carter Lake, Iowa, on Saturday night, June 23, expressed the hope that more local channels can be provided as a result of the North American Radio Conference.

"Some of the local channels are more congested," he said. "It is my hope that we can clear the way for a few more local channels. That problem may be solved at the North American conference to convene in Mexico City on July 10. That conference will take up the question of allocating broadcasting frequencies to all nations in North America—The United States, Canada, Newfoundland, Cuba and the Latin-American nations. At the present time, we have an agreement with Canada whereby there is no duplication of channels, but the other nations mentioned have been using any frequencies they desired, thus causing interference to many of our stations and those of Canada. Several new high-powered stations are about ready to start operation in Mexico and it is absolutely necessary to work out an allocation to avoid chaos and confusion in the broadcasting service of the United States."

"Legislative history of cities, counties, states and the Federal government evidences the public interest in and need for education and enlightment," he said. "I am therefore strongly in favor of educational programs and of community stations where local talent can be developed and used and local needs expressed and satisfied."

"In many respects a union between a newspaper and radio station is ideal. The very life blood of a newspaper is good will and the publishers and editors are past masters in that art and in the moulding of public opinion. As a rule radio stations which are controlled in whole or in part by newspapers are less liable to overemphasize revenues and indulge in offensive sales talk than purely commercial stations."

COURT OF APPEALS UPHOLDS COMMISSION

The Federal Radio Commission this week won three cases in the Court of Appeals of the District of Columbia including dockets Nos. 5598, Station WLOE against the Commission; No. 5604, Fred H. Goss, against the Commission; and No. 5605, Station WLOE against the Commission.

In Docket No. 5598 of Station WLOE, Boston Broadcasting Company, the appeal was from a decision of the Commission denying a license renewal to the station. The Court upheld the Commission's decision. The Commission in its decision, among other things, found that the station did not have sufficient financial resources, that its services are not needed in the Boston area and that the public need would not be served by renewing the license.

The Court in its decision found that "a review of the record convinces us that the decision of the Commission is not contrary to law and that its findings are supported by substantial evidence and are not arbitrary or capricipus." In this case the "stay order entered in this appeal is dissolved and the decision of the Federal Radio Commission herein is affirmed."

In Docket No. 5604, the case of Fred H. Goss against the Commission, the Commission also was upheld. The Commission denied the application of Goss for a construction permit for a new station to be erected at Boston to use 1500 kilocycles, that formerly used by Station WLOE. The Commission did not find that there was any need for this additional service in the Boston area.

The Court in its decision in this case says that "the burden of proof is upon the applicant, and the decision of the Commission should be sustained upon the findings of fact unless they are without the support of substantial evidence. Upon a consideration of the record therefore we affirm the decision of the Commission."

The Court also upheld the Commission in Docket No. 5605, an appeal of William S. Pote (Station WLOE) against the Commission. This was an appeal from the denial of the Commission of an application for involuntary assignment of the license of Station WLOE to the Appellant, William S. Pote.

Pote filed an application with the Commission asking that the license of Station WLOE be involutarily assigned to him. This the Commission refused. The station became bankrupt and "its chattel property was sold in bankruptcy proceedings to appellant, William S. Pote." However, the Court refused the appeal of Pote and upheld the Commission. Justice Groner dissented in this opinion. He did vote, however, "to affirm the decision of the Commission on the merits."

KGIX GETS LICENSE RENEWAL

The Radio Commission on Friday granted a license renewal to Station KGIX, Las Vegas, Nevada, granted it permission to change its equipment, and to move the transmitter locally thereby reversing Examiner R. H. Hyde in his Report No. 467.

In this case the Commission found that there is need for broadcast service in Las Vegas and vicinity, that the applicant is now in a position to reestablish the service of the station, and that granting of the application would be in the interest of the public.

VISUAL CONSTRUCTION PERMIT GRANTED

Dr. George W. Young, Minneapolis, Minnesota, was granted a construction permit by the Commission this week for the erection of an experimental visual broadcasting station, reversing Chief Examiner Yost in his Report No. 476. The station will use frequencies 43,000-46,000; 48,500-50,300 and 60,000-80,000 kilocycles with 500 watts power.

It was found by the Commission in its decision that the applicant is technically and financially qualified to carry on the experiments proposed "and that such a program of research has been planned which may result in advancement in the art of visual broadcasting."

STATION KFH GRANTED FULL TIME

Radio Station KFH, Wichita, Kansas, has been granted full time on the air by the Radio Commission in lieu of five-sevenths time, using 1300 kilocycles with 1,000 watts power. At the same time Station WOQ, Kansas City, Missouri, was denied a license renewal. Commissioner Hanley dissented.

This case was originally Report No. 239 of Examiner Hyde who recommended that the license of Station WOQ be renewed. The Commission overruled the Examiner and the case was taken to the Court of Appeals.

The case of these two stations was remanded to the Commission by the Court of Appeals of the District of Columbia on March 13 this year for further hearing, which was held by the Commission. The Commission has now reached its original conclusions.

In its decision the Commission found that KFH delivers a meritorious service, and that its service would be materially improved by its use of full time. Its was further found that "the granting of the application for unlimited time of operation for Station KFH and the consequent forfeiture of the broadcast facilities now allocated for the operation of Station WOQ would bring about a more equitable distribution of broadcast facilities within the Fourth Zone, as provided for in the Radio Act of 1927, as amended by the Act approved March 28, 1928," and "would serve the public interest."

TWO INDUSTRIES FILE CODES

In spite of the fact that the National Industrial Recovery Law just became effective a week ago two industries, the cotton textile and the cast iron pipe, have submitted their codes of ethics in final form. In fact hearings will begin the first of next week in connection with the textile code.

While there is much yet to be done, General Hugh S. Johnson, administrator of the new law, has made rapid progress in his organization.

General Johnson has stated in no uncertain terms that he has not laid down any general rule for price fixing but he will do everything he can do discourage it at this time. He states also that he has no idea of policing this law, but believes that industries will do their own policing inasmuch as those who are trying to hold honestly to an adopted code will see that the other fellow does so too, or will know why.

There is no thought at this time, General Johnson states, to appoint a coordinator for any industry because he does not want to give the administration of the law any appearance of using czaristic methods.

Nationally known leaders in business and industry have already been announced for key positions, with many more to be appointed later.

SHORT-WAVE BROADCAST PICK-UP ARRANGEMENT

A station manager inquires—How do I arrange to use broadcast pick-up equipment? This question has presented difficulties to many station managers. The following is offered as a guide for the procedure required by the regulations of the Federal Radio Commission.

This question involves two types of licenses—a general experimental license and a regular broadcast pick-up license.

Assume you have two such stations—one we will say is W14ZZZ and operates on about 60,000 kc., and the other KBBB which operates on 2342 kc.

The W14ZZZ station operates under a general experimental license, while Station KBBB is a regular broadcast pick-up station. However, in so far as use is concerned, either of these stations may be used for regular broadcast pick-up purposes, the only condition being that when W14ZZZ is used, a record shall be maintained in conformity with Rules 310 to 313 A. It will be noted, therefore, that the practice is to permit licensed general experimental stations using frequencies in the very high frequency band (30,000 kc. and up) to carry on any recognized service, provided, of course, it is done with the understanding that any use made of the very high frequencies is experimental and no direct charge should be made for the service.

The expression "Where wire facilities are not available" in Rule 354 means where wire facilities are not installed and therefore would not be available on short notice. To illustrate, it may be desired to use W14ZZZ or KBBB for broadcast pick-up purposes in connection with the reporting of a parade and to locate the pick-up transmitter on the sidewalk. In all probability, a wireline could be obtained from a nearby building or the particular event could be reported from a building where wirelines are available. However, there may be some special advantage for locating the pick-up transmitter on the sidewalk, and since wirelines could not be made available without providing for a special installation, the licensee would be permitted to use the broadcast pick-up transmitter on the sidewalk in lieu of making arrangements for wireline connections. In other words, it is our observation that the Rule is given very liberal construction.

Under Rule 357, licensees of broadcast stations are required to obtain permission from the Commission at least two days in advance of an expected radio pick-up. However, in the event that it is impossible to comply with this rule, such permission may be obtained by telegraphing or telephoning the Commission just prior to the time of expected use of the broadcast pick-up station. *It is not necessary to obtain permission from the Commission to use a general experimental station operating on the very high frequencies (30,000 kc. and above), for broadcast pick-up purposes.* In other words, you are required to obtain permission before using KBBB, though you may do so, in cases requiring it, by telephone or telegraph. In the case of W14ZZZ you are not required to obtain permission.

In the event that a station desires to rebroadcast a short-wave broadcast program originating in, let us say, Mexico, it would be necessary to obtain the permission of the originating station. If, however, a broadcast station in the United States should desire to rebroadcast a short-wave program originating in the United States, the permission of the Commission would be necessary in accordance with Rule 321.

TURKISH STATION COMPLETED

The Turkish Government has completed plans for the construction of a radio broadcasting station at Ankara at an approximate cost of $500,000, according to a report received in the Commerce Department's Electrical Equipment Division from the Department's office in Istanbul.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Thursday, June 29, 1933

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to increase power from 50 watts to 100 watts, **1210 kc.**, specified hours.

TENTATIVE HEARING CALENDAR

(Dates subject to change)

July 6, 1933

NEW—Leo J. Omelian, Erie, Pa.—Construction permit, **1420 kc.**, 100 watts 250 watts LS, unlimited time (facilities of WERE).

July 7, 1933

WNBW—WNBW, Inc., Carbondale, Pa.—Renewal of license and involuntary assignment of license.

July 10, 1933

NEW—William L. Slade, Hamilton, Ohio—Construction permit, **1420 kc.**, 100 watts, unlimited time (facilities of WHBD).

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal of license.

KGEK—Elmer G. Beehler, Yuma, Colo.—Construction permit to move station to Ft. Collins, Colo.; **1200 kc.**, 100 watts, specified hours.

July 11, 1933

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special experimental authority to change from **1210 kc.**, 100 watts, unlimited time, to **630 kc.**, 250 watts, unlimited time.

July 12, 1933

KSO—Iowa Broadcasting Co., Des Moines, Iowa—Construction permit to change from **1370 kc.**, 100 watts 250 watts LS, unlimited time, to **1120 kc.**, 250 watts 500 watts LS, unlimited time (facilities of WIAS).

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Renewal of license.

July 13, 1933

Hearing involving the applications of WARD, WBBC, WLTH, and WFOX, Brooklyn, N. Y., for renewals of licenses and modifications of licenses, and application of WARD for construction permit to move transmitter.

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Modification of license to change hours to unlimited.

July 18, 1933

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power to 500 watts.

July 24, 1933

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to increase power from 50 watts to 100 watts.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to change hours to unlimited.

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to change hours to unlimited.

APPLICATIONS GRANTED

First Zone

WHN—Marcus Loew Booking Agency, New York—Granted construction permit to move transmitter from New York City to Astoria, L. I., and install new equipment with maximum rated power of 250 watts.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted authority to suspend operation from June 26 to Sept. 11, 1933.

WGLC—O. T. Griffin & G. F. Bissell, Hudson Falls, N. Y.—Granted modification of license to increase night power from 50 to 100 watts.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted license covering change in transmitter and studio location; **1210 kc.**, 100 watts, unlimited time.

WPCH—Eastern Broadcasters, Inc., New York City—Granted voluntary assignment of license to Knickerbocker Broadcasting Co., Inc.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted special temporary experimental authority to end 3 a. m., Sept. 9, 1933, to change frequency from **1200 kc.** to **1280 kc.**, increase power from 100 to 500 watts, and install new equipment using directional antenna.

Second Zone

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted special authority to operate from 8 p. m. to 12 midnight June 23.

WFIW—WFIW, Inc., Hopkinsville, Ky.—Granted authority to waive Rule 151 to reduce hours of operation to minimum of 5 hours daily.

Third Zone

KGKB—East Tyler Broadcasting Co., Tyler, Tex.—Granted authority to continue operating unlimited time pending completion of WACO transmitter.

WSOC—WSOC, Inc., Gastonia, N. C.—Granted construction permit to move transmitter and studio from Gastonia to Charlotte and make changes in equipment.

WSB—Atlanta Journal Co., Atlanta, Ga.—Granted modification of construction permit to extend completion date to August 14, 1933.

WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Granted modification of construction permit to extend commencement date to July 9 and completion date to October 9, 1933.

Fourth Zone

WJKS—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted authority to conduct tests in Gary, Ind., to determine relative values of locations.

WEW—St. Louis University, St. Louis, Mo.—Granted authority to discontinue operation from June 15, 1933, to Sept. 1, 1933, except to broadcast all government reports.

KGNO—The Dodge City Broadcasting Co., Dodge City, Kans.—Granted license covering change in transmitter and studio location; **1210 kc.**, 100 watts, unlimited time.

KWLC—Luther College, Decorah, Iowa—Granted authority to remain silent from August 12 to Sept. 12.

WILL—University of Illinois, Urbana, Ill.—Granted authority to remain silent from June 20 to Sept. 1, 1933.

Fifth Zone

KGY—KGY, Inc., Olympia, Wash.—Granted authority to change specified hours of operation.

KGIR—KGIR, Inc., Butte, Mont.—Granted license covering equipment changes and power increase; **1360 kc.**, 500 watts night, 1 KW LS.

APPLICATIONS SET FOR HEARING

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of license to change from 3/7ths time sharing with WJKS, to specified hours.

WSYR-WMAC—Central New York Broadcasting Corp., Syracuse, N. Y.—Construction permit to move transmitter locally, make equipment changes, and increase power to 500 watts.

NEW—John L. Hopkins, Hammond, Ind.—Construction permit for new station to use 1 KW on **1360 kc.**, sharing with WGES. Requests facilities formerly used by WJKS.

WCAJ—Nebraska Wesleyan University, Lincoln, Nebr.—Modification of license to increase power from 500 watts to 1 KW, also renewal of license.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to change name of licensee to Connecticut State College, and increase operating power from 250 to 500 watts.

WEVD—Debs Memorial Radio Fund, Inc., New York City—Modification of license to increase power from 500 watts to 1 KW.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Construction permit to move transmitter locally in Monroe, install new equipment, change frequency from **1200 kc.** to **590 kc.**, increase power from 100 watts to 250 watts, and change unlimited time to certain specified hours.

MISCELLANEOUS COMMISSION ACTION

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Denied authority to operate unlimited time on frequency of **1360 kc.**, pending disposition of unused 4/7ths time on **1360 kc.**, formerly used by WJKS.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Construction permit to move station locally and install new transmitter heretofore granted was retired to closed file for want of prosecution.

KOCW—J. T. Griffin, Chickasha, Okla.—Modification of construction permit to move transmitter from Chickasha to Tulsa and change studio location, heretofore granted, was suspended and set for hearing because of protest of KVOO.

WAMC—Raymond C. Hammett, Anniston, Ala.—Construction permit to move station to Muscle Shoals, heretofore set for hearing, was denied because applicant failed to enter appearance within time allowed.

APPLICATIONS RECEIVED

First Zone

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit to install new equipment and increase power from 250 watts to 1 KW.

WINS—American Radio News Corp., New York, N. Y.—License to cover construction permit for moving transmitter from Astoria, L. I., to Carlstadt, N. J.

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power from 500 watts to 1 KW.

Second Zone

WEHC—Emory & Henry College, Emory, Va.—Modification of construction permit to change authorized locations of transmitter and studio (when moving station to Charlottesville, Va.).

WNBW—WNBW, Inc., Carbondale, Pa.—Modification of construction permit (to install new equipment and increase power from 10 watts to 10 watts night, 100 watts day) to extend completion date from 6-15-33 to 10-15-33.

WSAI—The Crosley Radio Corp., Cincinnati, Ohio—Construction permit to change equipment and increase power from 500 watts night, 1 KW day, to 1 KW night, 2½ KW day, amended as to antenna specifications.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of license to change power and hours of operation from 1 KW day to 250 watts night, 1 KW day to local sunset and unlimited hours.

WSEN—The Columbus Broadcasting Corp., Columbus, Ohio—License to cover construction permit granted 4-28-33 to move transmitter locally.

NEW—Lebanon Broadcasting Corp., Lebanon, Pa.—Construction permit for new station to use **1500 kc.**, 50 watts, daytime.

Third Zone

WKEU—Allen Wright Marshall, Jr., Allen Wright Marshall, Sr., and Guy Aaron Malcom, La Grange, Ga.—Consent to voluntary assignment of construction permit granted 1-20-33 to radio Station WKEU.

NEW—Edward Goodberlet and Harry J. Frahn, d/b as Greater Muscle Shoals Broadcasting Co., Sheffield, Ala.—Construction permit for new station to use **1500 kc.**, 100 watts, unlimited hours (facilities of WAMC).

KFLX—George Roy Clough, Galveston, Texas—License to cover construction permit for moving transmitter and studio locally.

KNOW—KUT Broadcasting Co., Austin, Texas—Modification of construction permit to change authorized location of transmitter and extend commencement and completion dates amended as to antenna specifications.

WDAE—Tampa Publishing Co., Tampa, Fla.—Construction permit to install new equipment and increase power from 1 KW to 1 KW night and 2½ KW day (facilities of WRUF in terms of quota units).

Fourth Zone

NEW—Central Broadcasting Co., Davenport, Iowa—Construction permit for new station, **1310 kc.**, 100 watts night, 250 watts day, unlimited time (facilities of WIAS, Ottumwa, Iowa).

KFH—Radio Station KFH Co., Wichita, Kans.—Modification of license to move main studio locally.

Fifth Zone

NEW—Thomas R. McTammany and William H. Bates, Jr., Modesto, Calif.—Construction permit for new station to use **750 kc.**, 250 watts, daytime.

NEW—Victor Beverly Pitts, Raton, New Mexico—Construction permit for new station to use **1500 kc.**, 100 watts, daytime.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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NAB TO MEET AT WHITE SULPHUR, W. VA.

The NAB Board of Directors has selected White Sulphur Springs, W. Va., as the place for the 1933 membership meeting of the Association. The dates selected are October 8, 9, 10 and 11.

White Sulphur Springs was chosen over a number of other cities which had extended invitations to the Association during the past few months.

President McCosker will shortly appoint a committee on arrangements which will begin the development of a program.

Easily accessible from all important cities, White Sulphur Springs, W. Va., will prove a popular meeting place. A world-famous all-year resort, the Greenbrier and Cottages, located on a 7,000-acre tract in the mountains of West Virginia, embraces every possible convenience for the entertainment and comfort of guests.

Details of arrangements for the meeting will be sent to members from time to time; but you are urged at this time to make arrangements to be in White Sulphur Springs, W. Va., on October 8, 9, 10 and 11.

McCOSKER ELECTED TO AFA BOARD

Broadcasting was awarded a place on the Board of Directors of the Advertising Federation of America when the Association on Wednesday, June 28, elected Alfred J. McCosker, WOR, Newark, N. J., president of the NAB, as a Director at Grand Rapids, Mich.

President McCosker's election to the AFA Board is a recognition of the prominence of broadcasting. It is the first time that broadcasting has been awarded a place in the governing body of the AFA. The Board includes leaders from all important branches of the advertising profession.

The NAB became affiliated with the AFA two years ago and has been active in departmental activities of the Association.

AFA COUNCIL URGES COOPERATION

The Council on Departmental Activities of the AFA at a meeting held at Grand Rapids, Mich., on June 27, adopted a resolution offered by Philip G. Loucks, Managing Director of the NAB, urging the discouragement of destructive competition and the encouragement of better cooperation between the tools and channels of advertising to the end that the adveriser will realize the maximum benefit from money expended for advertising; and cooperation among advertisers, agencies and media in protecting advertising from unwarranted burdens and unfair attacks. Newspapers, billboards, magazines, and advertising agencies are represented in the Council, in addition to radio.

NAB SECTION CONDEMNS RATE CHISELING

A resolution condemning rate chiseling as against the public interest, convenience and necessity was unanimously adopted at the second annual meeting of the NAB Commercial Section held on June 27 at Grand Rapids, Mich., in connection with the annual convention of the Advertising Federation of America.

The resolution was prefaced with a statement that "the practice of accepting business on a per inquiry and commission basis has been widespread among stations" and that such practice is against the best interests of broadcasting and unfair to the legitimate advertisers paying card rates. When first presented to the meeting there were demands that "teeth" be put into the motion and that every effort be made to see that it is enforced. Under the terms of the motion, as finally adopted, the Federal Radio Commission might readily consider the practice of rate chiseling as against the public interest in passing upon renewal applications.

Another motion, unanimously adopted, provided for the creation of a committee of three to study standardization of units of sale and associated practices and report to the annual membership meeting in October with specific recommendations.

Under the terms of another resolution adopted at the meeting, a committee of three is to be appointed "to study station relations with advertising agencies and special representatives" and report with definite recommendations at the fall meeting.

Following a lengthy discussion on the subject of merchandising, a resolution was adopted calling for the appointment of a committee to investigate scope of merchandising services which might properly be rendered by stations.

The whole question of research and surveys was discussed and action was taken expressing the opinion of the Section that "a survey of potential coverage is basic and preliminary to any further surveys or measurements," and providing that steps be taken to set up a radio audit bureau to standardize practices of measurement. This action conforms in part to the action recently taken by the American Association of Advertising Agencies approving coverage surveys as a fundamental guide to service of stations.

Near the close of the meeting a motion was adopted providing for committees to arrange for separate meetings at the time of the October convention between stations affiliated with the major networks and the officials of such networks for the purpose of discussing business relationship between stations and networks. It was understood, however, that these discussions were in no way connected with the activities of the NAB.

Recommendations that the NAB commence at once the collection of business facts and trade statistics were approved at the meeting.

The meeting also approved the creation of a clearing house for program scripts and program ideas in accordance with recommendations of the Program Committee of the NAB.

The meeting was one of the most enthusiastic ever held and the papers presented and discussions thereon constitute a sound guide to commercial operations of stations.

Near the close of the meeting the Managing Director explained briefly the operation of the new Securities Act as it relates to broadcasting and called attention to the Copeland-Sirovich bills which provide for revision of the food and drugs laws. The Managing Director also explained that the NAB was studying carefully the provisions of the Industrial Recovery Act and its possible effect upon broadcasting. He pointed out that broadcasting stations are at present licensed by a responsible governmental body and that this aspect of the situation was now receiving consideration.

Inasmuch as important excerpts of addresses and discussions will be published in future issues of NAB REPORTS, details will not be included in this week's issue.

H. K. Carpenter, WPTF, Raleigh, N. C., chairman of the Commercial Section, presided at the sessions.

The problems of station promotion were discussed by John Patt, WGAR, Cleveland, Ohio, and Harry Howlett, WHK, Cleveland, Ohio, followed with a discussion of merchandising.

The creation of a program exchange service and the scope of its activities was discussed by John Henry, KOIL, Council Bluffs, Iowa, and the question of station surveys was presented for discussion by Martin Campbell, WFAA, Dallas, Texas.

Standardization of units of sale and rates was the topic presented by Arthur Church, KMBC, Kansas City, Missouri.

Development of the standard order blank for spot broadcasting in cooperation with the AAAA was outlined by Roy Harlow, WNAC, Boston, Massachusetts.

The question of station representation and rate maintenance was presented in a paper read by Leslie Fox, WSM, Nashville, Tenn., in which he outlined sales problems common both to small and large stations.

A comprehensive system for the collection and dissemination of business facts and trade statistics was outlined by Herman S. Hettinger, member of the faculty of Wharton School of Finance and Commerce, University of Pennsylvania, Philadelphia, Pa.

Provision for carrying into execution of many of the resolutions adopted at the meeting was made by the NAB Board of Directors at its February meeting and the Managing Director stated that the NAB was prepared to go ahead with all possible speed. He pointed out, however, that the success of these projects was dependent upon the cooperation of stations generally.

Those who attended the meeting were: Ford Billings, KSTP, St. Paul, Minn.; Martin B. Campbell, WFAA, Dallas, Texas; H. K. Carpenter, WPTF, Raleigh, N. C.; Arthur B. Church, KMBC, Kansas City, Mo.; Ruth F. Crane, WJR, Detroit, Mich.; Norman Craig, Scott Howe Bowen, New York; Walter Davidson, WLS, Chicago, Ill.; Dietrich Dirks, KFAB, Lincoln, Nebr.; J. E. Fetzer, WKZO, Kalamazoo, Mich.; E. Y. Flanigan, WSPD, Toledo, Ohio; J. Leslie Fox, WSM, Nashville, Tenn.; W. W. Gedge, WMBC, Detroit, Mich.; Elizabeth Gibbons, Buffalo, N. Y.; John J. Gillin, Jr., WOW, Omaha, Nebr.; L. C. Grace, Grace and Holliday, Detroit, Mich.; Bernard A. Grimes, Printers' Ink, New York; Roy L. Harlow, Yankee Network, Boston, Mass.; Arthur Hull Hayes, Detroit, Mich.; Herman S. Hettinger, University of Pennsylvania, Philadelphia, Pa.; Harry Howlett, WHK, Cleveland, Ohio; Mary Humphrey, WXYZ, Detroit, Mich.; E. J. Hunt, WMBC, Detroit, Mich.; C. M. Jansky, Jr., Jansky and Bailey, Washington, D. C.; J. O. Maland, WOC-WHO, Des Moines, Iowa; Walter Myers, WBZ-WBZA, Boston, Mass.; Philip G. Loucks, Managing Director, NAB, Washington, D. C.; John F. Patt, WGAR, Cleveland, Ohio; Charles F. Phillips, WFBL, Syracuse, N. Y.; Myron A. Reck, WSPD, Toledo, Ohio; Val. Schneider, WHBY, Green Bay, Wis.; Ronald Smith, Detroit, Mich.; Oscar R. Strauss, Jr., Rich's Inc., Atlanta, Ga.; Linus Travers, Yankee Network, Boston, Mass.; Rev. James A. Wagner, WHBY, Green Bay, Wis.; Georgia E. White, White Advertising Agency, Grand Rapids, Mich.; William H. West, KSD, St. Louis, Mo.; Phil J. Meyer, KFYR, Bismarck, N. Dak.; Fred Weber, NBC, Chicago, Ill.; G. D. Frey, Des Moines, Iowa.

ENGINEERING SECTION FAVORS STUDIES

A resolution favoring full and complete study of the engineering considerations involved in the so-called horizontal power increase for local and regional stations was adopted at the second annual meeting of the NAB Engineering Section at the Hotel Sherman, Chicago, June 26. The meeting was held concurrently with the annual convention of the Institute of Radio Engineers. A second resolution was adopted authorizing the appointment of one engineering representative in each zone to facilitate the collection of data and opinions from various parts of the country. The Committee of Five will be appointed by J. A. Chambers, Chairman, NAB Engineering Committee, Philip G. Loucks, and J. C. McNary.

It is hoped that the findings and recommendations of the Engineering Section will be ready for presentation at the NAB Convention in October.

The need for increased standardization in broadcasting practices was stressed by E. L. Nelson, of the Bell Telephone Laboratories. He pointed out the present deficiencies of radio receivers, and offered suggestions for improving broadcasting service to urban listeners by proper design of radio receivers.

The general progress of antenna design was outlined by R. N. Harmon, General Engineer, Westinghouse Electric & Mfg. Co. Mr. Harmon described developments in vertical radiators and in the field of directional antennas.

Dr. C. B. Aiken, of Bell Telephone Laboratories, discussed recent developments in synchronized broadcasting. A system whereby a large metropolitan area may be served by a plurality of low-power stations operating synchronously, without bad quality areas between stations, was described. Such operation was said to permit better service to the public than would be obtainable locally from a 50 KW station, with the added advantage that the channel could be duplicated at some other city.

The aspects of the North American Radio Conference were discussed by James W. Baldwin, NAB special representative.

Dr. J. H. Dellinger, of the Bureau of Standards, outlined recent evaluations of frequencies made by a committee preparing for the North American Conference.

The discussion of the so-called horizontal power increases for local and regional stations was instituted by W. C. Bridges, of Station WEBC, Superior, Wis. The discussion of this proposal was general and the proposition was considered at some length, resulting in the adoption of the resolutions favoring the study and the methods of obtaining the necessary information.

Philip G. Loucks, NAB Managing Director, outlined the functions and limitations of the Engineering Section, stating that its findings could be recommendatory to the Board of Directors. Dr. C. B. Jolliffe, Chief Engineer of the Federal Radio Commission, gave assurance that any plan for providing power increases, or for revising interpretations of the Davis amendment in accord with sound engineering principles, would receive deserved consideration by the Engineering Department of the Federal Radio Commission.

The meeting was well attended, the total number being 55, and the discussions were participated in by many of those present. J. A. Chambers, of WLW, presided.

Fuller details of the discussions will be published in ensuing issues of NAB Reports.

FIRST INDUSTRIAL CODE HEARINGS

The first hearings under the new Industrial Recovery Act were held in the main auditorium of the new Department of Commerce building this week. They began on Tuesday and lasted during the entire week.

On the first day of the hearing more than 800 interested parties attended the hearing. Succeeding days the crowd was not so large. Not only those interested in the cotton textile code—the subject of the first hearing—but lawyers and trade association executives from various industries were present to see how the new hearings were conducted. They were very informal.

General Johnson, the Administrator of the Act, was present at most of the hearings, but W. C. Allen, a Deputy Administrator, was in direct charge of the hearings. He comes from the steel industry, thus bearing out what General Johnson has announced that anyone having any interest in the industry under discussion will not have charge of the hearings.

It is reported that three or four other industries are ready to report their code of ethics but announcement of which industries they are has been withheld.

SUMMER PLANS OF THE COMMISSION

The last meeting of the full membership of the Radio Commission until some time in September was held on Friday. While the Commission will not be in adjournment by any manner of means, there will probably be no time when all of the Commissioners will be here due to vacations and other activities.

It is planned that during the summer there will always be at least two members of the Commission in Washington and as often as possible a quorum, or three members.

Commissioner Lafount left Washington today (July 1) for a six weeks' inspection trip through his fifth zone. He is expected to return on August 9.

Commissioner Hanley, who has been in Nebraska for a short time, returned here the latter part of this week. Commissioner Sykes leaves for Mexico City on July 4. Commissioner Starbuck will make an inspection trip the latter part of the summer of aviation radio.

DELEGATES OFF TO MEXICO

Members of the United States delegation to the North American Radio Conference to be held in Mexico City, Mexico, beginning July 10, with their technical advisers and other attachés, will leave Washington on July 4 and will arrive at Mexico City July 8.

James W. Baldwin, who will represent NAB at the conference, will also arrive in Mexico next week.

Offices of the American delegation will be at the Hotel Regis, where the delegates will stop. and the sessions of the conference will be held at the Pan American Institute of Geography. Members of the delegation believe that the conference will last about six weeks.

RADIO COMMISSION TO MOVE AGAIN

For the fourth time in its short existence of six years the Federal Radio Commission is being called upon to move its quarters from the Interior Department to the Architects Building, 18th and E Streets, Northwest, just one block south of its present location. The new quarters are located in a ten-story building, of which the Commission will occupy eight stories. The move will be made July 6.

The Bureau of Mines is being transferred back from the Department of Commerce to the Interior Department and the space now used by the Radio Commission in the Interior Department is needed.

The Radio Commission, when it was first organized in 1927, was located in the old Department of Commerce Building. It moved from there to the Interior Department, to the National Press Building, back to the Interior Deparment, and now to the Architects Building.

COMMISSION TO MEET JULY 11

The next meeting of the Radio Commission will be July 11, due to the holidav July 4, and the fact that following immediately after that the Commission will move its quarters.

NEW STATION GRANT

The Federal Radio Commission on Friday upheld the recommendation of Examiner Hyde in his Report No. 481 that the Copper Electric Company, Inc., be granted a construction permit for the erection of a new broadcasting station at Lowell, Ariz.

It was found by the Commission that there is a need for the broadcast service which the applicant proposes to establish and that "no objectionable interference of any kind would be likely to result from the operation of the proposed station." The company asked for a 100-watt station to operate daytime on a frequency of 1200 kilocycles. The quota value of the facilities requested in this case is 0.1 of a unit. As the State of Arizona is 0.27 of a unit under quota in broadcast facilities, the granting of the application will still leave the state under quota.

WNBO DENIED MOVE

Station WNBO was denied permission to move from Silver Haven to Monongahela, Pa., this week; WCAE was granted permission to move its transmitter locally at Pittsburgh, and WHBC, Canton, Ohio, was granted permission to install new equipment, upholding Examiner Hyde in his Report No. 471.

The Commission found that the moving of WNBO and granting it full time "would result in increased and objectionable interference." It was found that the moving of the transmitter of WCAE would result in improvement in its service, and that the power assignment of WHBC is not adequate to provide a satisfactorv service in the community in which the station is licensed to serve.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

July 7, 1933

WNBW—WNBW, Inc., Carbondale, Pa.—Renewal of license, and involuntary assignment of license.

TENTATIVE HEARING CALENDAR

(Dates subject to change)

July 11, 1933

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special authority to use 250 watts on **630 kc.**, unlimited time, experimentally.

NEW—Juan Piza, San Juan, P. R.—Construction permit for new station to use **1290 kc.**, 500 watts, unlimited time.

July 12, 1933

KSO—Iowa Broadcasting Co., Des Moines, Iowa—Construction permit to change from **1370 kc.**, 100 watts night, 250 watts day, to **1120 kc.**, 250 watts night, 500 watts day.

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Renewal of license.

July 13, 1933

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Modification of license to secure unlimited hours of operation.

July 18, 1933

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power to 500 watts.

July 24, 1933

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to increase power from 50 watts to 100 watts.

WJBK—James F. Hopkins, Inc., Detroit. Mich.—Modification of license to change hours to unlimited.

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to change hours to unlimited.

July 28, 1933

KMLB—Liner's Broadcasting Station, Monroe, La.—Construction permit to change from **1200 kc.**, 100 watts, unlimited time, to **590 kc.**, 250 watts, specified hours.

July 31, 1933

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of license to operate unlimited time.

APPLICATIONS GRANTED

First Zone

WSAR—Doughty & Welch Electric Co., Inc.—Granted license covering changes in equipment; **1450 kc.**, 250 watts, unlimited time.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Granted modification of license to reduce hours of operation.

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Granted permission to operate 1 KW auxiliary at new site of main transmitter.

Second Zone

WEHC—Emory and Henry College, Charlottesville, Va.—Granted modification of construction permit to change transmitter location to Stony Point Road, Charlottesville, and studio to Monticello Hotel.

WSAI—The Crosley Radio Corp., Cincinnati, Ohio—Granted construction permit to make changes in equipment and increase operating power from 500 watts night and 1 KW day to 1 KW night and 2½ KW day.

WHP—WHP, Inc., Harrisburg, Pa.—Granted special temporary authority to operate from 1:30 to 2:30 p. m., EST, July 6.

Third Zone

WFDV—Rome Broadcasting Corp., Rome, Ga.—Granted special temporary authority to operate from 9 p. m. to 12 midnight, CST, July 7, 1933.

WPFB—Hattiesburg Broadcasting Co., Hattiesburg, Miss.—Granted authority to remain silent from July 1 to Aug. 1, 1933.

KNOW—KUT Broadcasting Co., Austin, Texas—Granted modification of construction permit to change location of transmitter locally in Austin, install new equipment, extend commencement to 30 days after date of granting, and completion date to 9 days after granting.

Fourth Zone

KFH—Radio Station KFH Co., Wichita, Kans.—Granted modification of license to move studio locally in Wichita.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate certain specified hours.

KGIZ—Grant City Park Corp., Grant City, Mo.—Granted voluntary assignment of license to KGBX, Inc.

KGBX—KGBX, Inc., Springfield, Mo.—Granted modification of license to change hours of operation from unlimited to one-half time.

KGIZ—Grant City Park Corp., Grant City Park, Mo.—Granted construction permit to move station from Grant City to Springfield, Mo., install new transmitter, change frequency from **1500 kc.** to **560 kc.**, increase power from 100 to 500 watts, and decrease time from unlimited to daytime.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Granted construction permit to make changes in equipment.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted modification of construction permit extending commencement date to Dec. 1, 1933, and completion date to July 1, 1934.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special authority from July 1 to Aug. 1 to use time assigned but not used by KUSD and WILL.

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—Granted permission to conduct tests for new location beginning June 30 and continuing for 10 days.

WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted special authority to operate for 90 days experimentally on

1120 kc. with 1 KW, unlimited hours, and test after midnight on 1120 kc.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate from 9:30 to 11:30 p. m., CST, July 4.

Fifth Zone

KGCX—M. E. Krebsbach, Wolf Point, Mont.—Granted special authority to operate from 3 to 6 p. m., MST, July 12, 14, and 15.

NEW—Hilo Broadcasting Co., Ltd., Hilo, T. H.—Granted construction permit for new station to operate on **1210 kc.,** 100 watts, 8 hours daily.

MISCELLANEOUS COMMISSION ACTION

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Denied authority to operate until 11 p. m., EST, June 29, simultaneously with KEX and KOB.

KGEK—Elmer C. Beehler, Yuma, Colo.—Application to move station, heretofore set for hearing, dismissed at request of applicant.

APPLICATION SET FOR HEARING

WJR—WJR, The Goodwill Station Inc., Detroit, Mich.—Construction permit to move transmitter from Pontiac, Mich., to a location to be determined; to make field strength surveys; install new equipment, and increase power from 10 to 50 KW. To be heard before Commission en banc on Oct. 4, 1933.

NEW—Ray M. Thompson, Youngstown, Ohio—Construction permit for new station to use **1370 kc.,** 100 watts, unlimited time (facilities of WHBD).

NEW—Edw. Goodberlet and Harry J. Frahn, d/b as Greater Muscle Shoals Broadcasting Co., Sheffield, Ala.—Construction permit for new station to use **1500 kc.,** 100 watts, unlimited time (facilities of WAMC).

NEW—Fred L. Packard and S. Hepp and Judge J. W. Shulman, d/b as Acme Broadcasting Co., Huntington Park, Calif.—Construction permit for new station to use **1300 kc.,** 500 watts, sharing with KFAC (facilities of KFAC).

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Modification of license to increase hours of operation from ¼ time sharing with WLTH, WARD and WFOX to ¾ time sharing with WLTH only (facilities of WARD and WFOX).

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Modification of license to change frequency from **1410 kc.** to **1380 kc.,** and increase hours of operation from simultaneous day with WSFA, sharing night with WSFA, to unlimited.

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Modification of construction permit to change transmitter and studio location, install new equipment, and change specified hours of operation to other specified hours. Also to change frequency from **1310 kc.** to **1420 kc.**

WEHS, WHFC, and WKBI, all of Cicero, Ill.—Modification of licenses to change frequency from **1420 kc.** to **1310 kc.**

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change frequency from **1310 kc.** to **1420 kc.**

APPLICATIONS RECEIVED

First Zone

WBZA—Westinghouse Electric & Mfg. Co., Boston, Mass.—Construction permit to make changes in equipment.

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Modification of license to change hours of operation from shares with WFOX, WARD, WLTH to share WFOX and WLTH, requesting facilities of WARD, amended to request share with WLTH (facilities of WARD and WFOX, WBBC to use ¾ time, WLTH ¼ time).

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Special experimental authorization to increase power from 500 watts to 1 KW experimentally for 90 days.

NEW—S. George Webb, Newport, R. I.—Construction permit for new station to use **630 kc.,** 250 watts, unlimited time, amended to change transmitter location from Newport to Middletown, change frequency to **1320 kc.,** and change specified equipment.

Second Zone

NEW—Willard G. Demuth, Uhrichsville, Ohio—Construction permit for new station to use **1370 kc.,** 100 watts, daytime, resubmitted. To be considered under Rule 6 g.

Third Zone

WGCM—Great Southern Land Co., Mississippi City, Miss.—Consent to voluntary assignment of license to Grace Jones Stewart under the trade name of Great Southern Land Co. (not inc.).

KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of construction permit to change equipment and move transmitter locally for approval of transmitter location (Mount Sequoyah, Fayetteville, Ark.), and to change equipment.

NEW—C. C. Crawford, Haynesville, La.—Construction permit for new station to use **1200 kc.,** 50 watts, specified hours.

KFPL—C. C. Baxter, Dublin, Tex.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

WHEF—J. Niles Boyd Wholesale Grocery Co., J. O. Ashworth and J. R. Smithson, d/b as Attala Milling and Produce Co., Kosciusko, Miss.—Modification of construction permit for new station to extend commencement and completion dates to 7-24-33 and 1-24-34.

Fourth Zone

WKBV—William O. Knox, trading as Knox Battery & Electric Co., Connersville, Ind.—Construction permit to change transmitter and studio location to Richmond, Ind.

NEW—Herbert H. Fette, Meriden, Minn.—Construction permit for new station to use **1310 kc.,** 100 watts daytime (facilities of KGDE in terms of quota units).

WIBA—Badger Broadcasting Co., Madison, Wis.—Construction permit to move transmitter from Madison to Burke, Wis., make changes in equipment, change frequency from **1280 kc.** to **720 kc.,** increase power from 500 watts night, 1 KW day to 25 KW, and change hours from unlimited to sharing with WGN (facilities of WGN, WHA, and WLBL).

Fifth Zone

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Special experimental authorization to change hours of operation from 12:01 a. m. to local sunset to 12:01 a. m. to 6:30 p. m. for 90-day period.

APPLICATIONS RETURNED

NEW—A. C. Clatfelter, Jr., and Ben L. Estes, Sanderson, Tex.—Construction permit for new station to use **1340 kc.,** 75 watts, 5 hours daily (Rules 6, 120, equipment and transmitter site unsatisfactory).

NEW—Henry Clay Allison, Fort Worth, Tex.—Construction permit for new station to use **600 kc.,** 100 watts, unlimited time (Rules 6 and 120, proposed equipment and transmitter location unsatisfactory).

KICK—Red Oak Radio Corporation, Carter Lake, Iowa—License to cover construction permit to move station from Red Oak to Carter Lake (improperly executed).

KMTR—KMTR Radio Corporation, Los Angeles, Calif.—Authority to determine power by direct antenna measurement (wrong form).

KFXD—H. L. Peterson, Nampa, Idaho—Application for involuntary assignment of license from Frank E. Hurt to H. L. Peterson (Rule 43).

NEW—Southland Radio Corp., Shreveport, La.—Construction permit for new station to use **1210 kc.,** 100 watts, unlimited time (at request of applicant).

WMIL—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day (Rule 43—questionable equipment and Rule 6).

KNX—Western Broadcast Co., Los Angeles, Calif.—Special experimental authorization to increase power from 25 KW to 50 KW experimentally (Rule 43, no plan or program of tests submitted, and Rule 118).

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to change transmitter location locally, use KFI's auxiliary transmitter with changes as main transmitter of KECA, and increase daytime power from 1 KW to 2½ KW (Rule 49).

The National Association of Broadcasters
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NEW MEXICAN REGULATIONS

On the eve of the opening of the North and Central American Radio Conference at Mexico City the Mexican Government issued new regulations governing the operation of broadcast stations in that country.

The new regulations provide for two classes of stations—commercial and cultural. Commercial stations may be licensed to Mexicans or Mexican corporations, the period of the license not to exceed 50 years. Advertising rates must be approved by the Secretary of Communications and all commercial stations are to be taxed five per cent of their gross revenue by the government in addition to inspection fees ranging from one hundred to seven hundred fifty pesos monthly. The new Mexican regulations provide that all operators must be Mexican and that all programs must be in Spanish except where government permission is given to broadcast programs in other languages.

Broadcasts relating to health and medicines must be approved by the government before being put on the air.

One of the far-reaching regulations included prohibits the maintenance of foreign studios and limits retransmission of programs to instances where government approval has been secured.

The Conference is scheduled to open on Monday, July 10. The American delegation, headed by Judge Eugene O. Sykes, Chairman of the Federal Radio Commission, has arrived in Mexico City prepared to present this country's proposals.

The National Association of Broadcasters will be represented at Mexico City during the Conference by James W. Baldwin, former secretary of the Federal Radio Commission, who had charge of preliminary work for the Association.

TRADE STATISTICS TO BE COLLECTED BY NAB

In line with the plans developed at the recent meeting of the Commercial Section of the NAB at Grand Rapids, immediate steps are being taken by the Association for the collection of fundamental trade statistics regarding broadcasting and broadcast advertising.

The plan which is being put in operation will meet a long recognized need in the broadcasting field and will serve to put the industry in a better position to furnish its prospects with information of a nature similar to that supplied by newspapers, magazines, and other competing advertising media.

The collection of trade statistics likewise will be of assistance to the industry in that they will form the basis for the forecasting of trends as to business volume, thus aiding in long-term planning on the part of the broadcasters. Another service rendered will be that of enabling the managers of individual stations to compare their performance with that of the broadcasting industry as a whole, as well as with the general trend of broadcast advertising business in their section of the country.

At the present time the broadcasters are less equipped to furnish fundamental statistics regarding their industry to business men or government agencies desiring such data than is any other advertising medium. It is impossible at the present date even to estimate the total amount of money being spent by companies for broadcast advertising. Other than figures regarding total network revenue from the sale of time, nothing is available in this field.

Since it is estimated that the national network revenue comprises no more than one-half of the total amount spent on broadcast advertising in this country, national network figures are utterly inadequate as a measure of the trend of business in the radio field.

It is highly necessary, therefore, that equally comprehensive information be secured regarding the trend in national spot broadcast advertising and in the volume of advertising being carried on by local business organizations over stations. It is also important that a close check be kept on the trend of broadcasting advertising volume in various industries, both as regards their general radio advertising and with respect to their use of network and spot broadcasting.

Similarly it is necessary to have information as to the trend of broadcast advertising volume in different parts of the country, and to keep a close watch on the development of broadcast advertising as compared with the volume of business placed in newspapers, magazines, and other competing media.

A plan covering these and other features has been developed for the NAB by Dr. Herman S. Hettinger, of the Wharton School of Finance and Commerce of the University of Pennsylvania. Dr. Hettinger has been active in broadcast advertising and general merchandising research for some years. His present plan is the result of several months' investigation of the work being carried on by various trade associations and competing media. During the course of the investigation advertising agencies, market research experts, broadcasters, government officials and trade association executives were interviewed, while the records of leading organizations were studied thoroughly.

Dr. Hettinger will have supervision of the establishment of the trade statistics service of the Association, and has consented to act as consultant to the Association in this capacity during the next several months.

The general principle underlying the collection of trade statistics by the NAB contemplates the securing of information regarding volume of business from various member stations on a monthly basis. A simple method of collecting this information has been developed which will require the minimum effort on the part of the station executives.

In order to have the business statistics which are collected be representative of broadcast advertising as a whole it will be necessary to secure trade information from a representative group of stations accounting for a reasonably large proportion of the total volume of radio advertising. A sample representing roughly 50 per cent of the industry's volume is being contemplated.

An important aspect of the entire plan for the collection of trade statistics by the broadcasters is the fact that it constitutes a voluntary step on the part of the industry to do what the rank and file of American business is being required to do by the national administration under the Industrial Recovery Act. Broadcasters again are showing their initiative and willingness to meet new problems without the force of governmental urging to make them do it.

One thing, however, should be kept in mind, it was emphasized by Dr. Hettinger. Any system for the collection of trade information depends entirely upon the cooperation of the members of the industry, month in and month out, for its success. Only continued cooperation by all broadcasters can make the collection of trade information a worthwhile undertaking for the NAB.

NAB TO ESTABLISH PROGRAM CLEARING HOUSE

Following the approval of the general plan by both the Commercial Section and the Program Committee of the NAB, immediate steps have been taken for the establishment of a Program Clearing House by the Association.

The theory prompting the recommendation and establishment of the clearing house is that there is a wealth of program material existing, either in use or in the files of stations which could be used with profit by other non-competing stations throughout the country.

A station in one part of the country might have developed an especially effective manner of presenting a program to be sponsored by a local bank. Another station, situated in another part of the country, might have a bank as a potential customer. Its own ideas thus far might not have met with approval on the part of the bank's officials, and the station therefore would be anxious to receive any ideas available as to what might be done in the way of a bank program. It might be that the program of the first station would be ideally suited to meet the problem. If the two stations could be brought together, therefore, both would profit. The one station would sell the other its program, while the other would have found the program which it needed.

A clearing house which would search out program ideas which stations were willing to offer for the use of other stations, for a consideration or otherwise at the station's own option, which would make available to the member stations of the NAB information regarding programs so offered, which would act as an agency for bringing the two interested parties together, and which would handle requests on the part of stations regarding the availability of programs of certain kinds in a similar fashion, it was believed by the Commercial Section and Program Committee, would be of great value to the broadcasting industry.

In keeping with this plan a program clearing house is being established immediately by the NAB. The clearing house will publish in the weekly bulletin information regarding all programs which have been sent to it by stations. The information published will include a summary of the program idea involved, together with other pertinent information regarding it.

The NAB program clearing house will not handle any continuities itself. It will merely transfer request for further information to the station originally offering the continuity, leaving it to the executives of the two stations to effect a satisfactory arrangement among themselves.

The clearing house likewise will publish in the weekly bulletin the requests of stations for information regarding the availability of programs of certain types. Any offers of continuities resulting from these requests likewise will be forwarded to the station seeking information.

The clearing house is but the beginning of a comprehensive plan of program service on the part of the NAB. Other items included for later consideration are matters such as studies of program costs, talent costs and sources, programs for special uses such as department store programs, community cooperation programs, program aspects of station promotion and similar features.

Stations having programs which they wish to make available to the clearing house are requested to do so immediately, giving the following information regarding each program:

1. Name of program.
2. Brief description of its general nature.
3. A copy of one or more sample continuities.
4. Any additional information regarding the development of the program's idea which you may care to add so that a clear picture of the program may be possible.
5. Number and type of characters required.
6. A brief history of the success achieved by the program, including the type of sponsor using it, the type of product advertised, and any information available as to its effectiveness.

It is believed that the creation of a program clearing house, and later a comprehensive program service by the NAB, will be of marked assistance to the industry. Not only will it assist individual stations in meeting trying problems, but it should aid in bringing about a general increase in program standards.

As in the case of the statistical service, the effort will require the support of every station if it is to be a success. It is the intention of the NAB to institute this service, and if it is supported by the industry, to continue it and to expand it. Failing support, the clearing house and contemplated service will be immediately abandoned.

SECURITIES ACT REGULATIONS

The Federal Trade Commission on July 6 approved the rules, regulations and forms for the administration of the Securities Act of 1933 which vitally affects broadcast advertising of securities.

Several weeks ago the NAB sent to its members copies of the act, punched for insertion in the NAB HANDBOOK. An order has been placed for copies of the regulations and just as soon as these are available they will be sent to the entire membership also properly punched for the HANDBOOK.

In approving the rules under the act the Commission had regard "for the public interest and for for the protection of investors, but endeavored to place no undue burden either upon general business or upon honest and reputable dealers."

"The act prohibits the filing of a statement prior to July 7 and requires that it be on file at least 20 days before a security may be sold under the act," says the Commission's statement. "Realizing that many issuing companies distantly situated from Washington have been unable to obtain forms and prepare the statements required on July 7, the Commission promulgated a rule providing that such companies might file in such form as that might reasonably consider to be in compliance with the act, "provided that an amendment to such registration statement shall be filed at least ten days prior to the effective date, in the required form prescribed by the Commission and shall contain full, accurate and complete information in respect of each item thereof."

Registration statements as received, with all information contained therein, will be available for public inspection at the Commission's offices in Washington. Photostatic or typewritten copies will be furnished at a nominal sum per page.

Registration statements and all other papers required therewith are to be filed in triplicate, the date on which they are actually received to be the date of the filing thereof.

The maximum aggregate price at which securities are proposed to be offered is to be stated, and payment is to be made of registration fee of one one-hundredth of one per centum based upon such price, the fee not to be less than $25.

Five copies of the form of advertising prospectus proposed to be issued with reference to a security shall be filed along with the registration statement. The Commission is to be notified of the price and date to be inserted in the prospectus prior to the date of the public offering.

Where a prospectus consists of a radio broadcast it shall be reduced to writing, five copies of which shall be filed with the Commission at least five days before the matter is to be broadcast or otherwise issued to the public.

There shall be inserted in a conspicuous part of advertising prospectuses, a statement the language of which is prescribed by the Commission, showing that "neither the fact that such registration has been filed with the Commission, nor the issuance of this prospectus under the rules or regulations prescribed, shall be deemed a finding by the Commission that this prospectus is true and accurate on its face, or omits to state a material fact or to mean that the Commission has in any way passed upon the merits of, or given approval to, such prospectus or the security mentioned therein."

The rules and regulations as approved today apply only to Title I of the act which provides for regulation of securities, particularly the registration thereof. No reference is made to Title II, the "Corporation of Foreign Bondholders Act, 1933," which is not to take effect until the President finds "that its taking effect is in the public interest and by proclamation so declares." The effective date is July 27.

The Commission desires to point out that most of the rules and regulations are explicitly required by the Securities Act. In some matters the Commission has discretion, and the rules and regulations in relation thereto are experimental pending actual working experience with the new Securities Act, and will be subject to revision from time to time as experience proves the advisability of changes.

TELEVISION DEVELOPMENT PROGRESSES

A paper presented to the eighth annual convention of the Institute of Radio Engineers, recently held in Chicago, by V. K. Zworykin of the RCA-Victor Company, gave a preliminary outline of work with an electric eye—Iconoscope—as a pick-up for television and similar applications. It required ten years to bring the original idea to its present state of perfection.

The iconoscope is a vacuum device with a photo-sensitive surface of a unique type. This photo-sensitive surface is scanned by a cathode ray beam which serves as a type of inertialess commutator. A new principle of operation permits very high output from the device.

The sensitivity of the iconoscope, at present, is approximately equal to that of photographic film operating at the speed of a motion picture camera. The resolution of the iconoscope is high, fully adequate for television.

The paper described the theory of the device, its characteristics, and the mode of operation.

In its application to television the iconoscope replaces mechanical scanning equipment and several stages of amplification. The whole system is entirely electrical without a single mechanically moving part.

The reception of the image is accomplished by a kinescope or cathode ray receiving tube, described in previous papers.

The tube opens wide possibilities for application in many fields as an electric eye, which is sensitive not only to the visible spectrum but also to the infra-red and ultra-violet region.

The iconoscope apparently brings us closer to the corner around which television is supposed to be hiding. For the first time, satisfactory television appears technically possible, inasmuch as the iconoscope may scan any scene that may be photographed, such as a football game, a parade, or other events.

NEWS BROADCASTS BANNED BY COURT

Following the decision rendered in the AP-KSOO case, Judge Walter L. Gleason of the Civil District Court of New Orleans, has ruled that Station WDSU, New Orleans, is prohibited from taking news from the columns of newspapers. The ruling prevents the station from using any news from newspapers for broadcasting purposes for 24 hours following first publication. The court announced that a written opinion will be filed later.

ASCAP AND "THE STAR-SPANGLED BANNER"

Thanks to the research of S. H. Steinhauser, radio editor of the *Pittsburgh Press,* and of the initiative of J. F. Taggart of Mt. Washington, Pa., the mystery of the authorship of "The Star-Spangled Banner" has been solved.

"The American Society of Composers, Authors and Publishers always knew," says Mr. Steinhauser, "that John Stafford Smith wrote the music of 'The Star-Spangled Banner.' " This is the answer to the mystery propounded in a news bulletin issued by Oswald F. Schuette as director of copyright of the National Association of Broadcasters which revealed the fact that ASCAP was trying to discover, among its members, the author, composer, or publisher of the National Anthem.

To give it circulation, the letter which ASCAP sent to Mr. Taggart and which Mr. Steinhauser reprinted in the *Pittsburgh Press* is also published here:

"Dear Mr. Taggart:

"Thanks for your letter regarding 'The Star-Spangled Banner.'

"I presume your letter was written with a desire to help us out in connection with a bit of propaganda which the publicity department of the National Association of Broadcasters recently disseminated to the effect that we did not know who had written this composition.

"Of course we knew, but one of our clerks made a routine mistake and listed it among some 'unidentified compositions.' It was simply a clerical error in connection with the handling of hundreds of thousands of titles, but the broadcasters thought they might embarrass us by giving some publicity to the incident.

"We do not mind a little good-natured 'spoofing' and probably that is the way this should be considered. In any event, I want you to know that we thank you sincerely for having been interested enough to send us the information contained in your letter.

Sincerely yours,

American Society of Composers,
Authors, and Publishers,
E. C. Mills."

RMA BUSY WITH NIRA CODE

The Radio Manufacturers Association is busy with the task of formulating a code of fair competition for the set manufacturing industry which it expects to present soon to the National Industrial Recovery Administration. Bond Geddes, Executive Vice President of the RMA, proposes to submit the code, when in final draft, to all RMA members before filing it with the Johnson administration.

RECORDINGS OF RICORDI MUSIC

Lists of records of the music contained in the Ricordi catalogue and which are available for broadcasting purposes are being compiled by the Radio Program Foundation. Oswald F. Schuette, president of the Foundation, hopes to be able to send a list of several hundred such records to all stations.

Sublicenses are being sent by return mail to all stations whose checks accompany their application authorizing the immediate use of this music. Sublicense charge to non-member stations is twice the charge to member stations and no application blanks were sent to stations that are not members of the National Association of Broadcasters. Inquiries, however, are being received daily from these non-member broadcasters, and blanks for them are available upon request.

WOQ AGAIN FILES APPEAL

Station WOQ, Kansas City, Mo., this week filed an appeal in the Court of Appeals of the District of Columbia in connection with a recent decision of the Radio Commission giving Station KFH, Wichita, Kans., WOQ's time on the frequency of 1300 kilocycles. WOQ also asked for a stay order.

This station (WOQ) originally filed an appeal in the Court in connection with a similar decision of the Radio Commission on the ground that the Commission had not granted the station a hearing. The Court remanded the case to the Commission for hearing. Hearing was held and the Commission a second time gave WOQ's frequency to KFH. The station has again appealed to the Court.

FEDERAL RADIO COMMISSION MOVES

The Federal Radio Commission is now housed in the Architects Building, 1800 E Street Northwest, one block south of its old offices in the Interior Department Building. The move was completed yesterday. The new telephone number is District 8388.

Due to the holiday this week and the moving of the offices of the Commission, almost all of the routine work of the Commission was at a standstill.

U. S. POPULATION 125,693,000

The Department of Commerce announces an estimate of the population of the United States made by the Bureau of the Census. This gives a total estimated population of 125,693,000 on July 1, 1933, as compared with 122,775,046 on April 1, 1930.

The total is arrived at by estimating the increase since 1930 upon the basis of the available data regarding births, deaths, immigration and emigration. The population of the several states is then estimated by distributing the increase in the United States population to the various states according to the per cent which each state increase was of the United States increase between 1920 and 1930, except that where there was a decrease between 1920 and 1930 the 1930 census figure is retained, and no estimate is made.

	Federal Census April 1, 1930	*Estimated Population July 1, 1933*
United States	122,775,046	125,693,000
Alabama	2,646,248	2,697,000
Arizona	435,573	453,000
Arkansas	1,854,482	1,872,000
California	5,677,251	6,062,000
Colorado	1,035,791	1,052,000
Connecticut	1,606,903	1,646,000
Delaware	238,380	241,000
District of Columbia	486,869	495,000
Florida	1,468,211	1,554,000
Georgia	2,908,506	2,911,000
Idaho	445,032	447,000
Illinois	7,630,654	7,826,000
Indiana	3,238,503	3,291,000
Iowa	2,470,939	2,482,000
Kansas	1,880,999	1,900,000
Kentucky	2,614,589	2,648,000
Louisiana	2,101,593	2,153,000
Maine	797,423	802,000
Maryland	1,631,526	1,663,000
Massachusetts	4,249,614	4,313,000
Michigan	4,842,325	5,043,000
Minnesota	2,563,953	2,594,000
Mississippi	2,009,821	2,047,000
Missouri	3,629,367	3,668,000
Montana	537,606	*537,606
Nebraska	1,377,963	1,392,000
Nevada	91,058	93,000
New Hampshire	465,293	469,000
New Jersey	4,041,334	4,193,000
New Mexico	423,317	434,000

	Federal Census April 1, 1930	*Estimated Population July 1, 1933*
New York	12,588,066	12,965,000
North Carolina	3,170,276	3,275,000
North Dakota	680,845	687,000
Ohio	6,646,697	6,798,000
Oklahoma	2,396,040	2,459,000
Oregon	953,786	983,000
Pennsylvania	9,631,350	9,787,000
Rhode Island	687,497	702,000
South Carolina	1,738,765	1,748,000
South Dakota	692,849	702,000
Tennessee	2,616,556	2,664,000
Texas	5,824,715	6,023,000
Utah	507,847	518,000
Vermont	359,611	361,000
Virginia	2,421,851	2,441,000
Washington	1,563,396	1,599,000
West Virginia	1,729,205	1,774,000
Wisconsin	2,939,006	2,992,000
Wyoming	225,565	231,000

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*Population April 1, 1930; decreased 1920 to 1930; no estimate made.

RULING ON ADMISSIONS TAX

Radio announcers, newspaper reporters, photographers, telegraphers and persons of similar vocation who are admitted free to any place for the purpose of performing special duties in connection with the event and whose special duties are the sole reason for their presence at the event and for free admission thereto are not liable for any tax on admissions, according to a ruling by Commissioner of Internal Revenue Helvering. The ruling amends the last paragraph of article 1 of Regulations 43 approved June 14, 1932.

JOHNSON ON PRICE INCREASES

General Hugh S. Johnson, industrial recovery administrator, stated on July 7 at his press conference that reports are reaching him of indications on the part of some industries for concerted action on prices. This, he believes, is due to poor legal advice. He indicated that this is what Attorney General Cummings meant this week when he stated that the Sherman anti-trust law is still on the statute books.

General Johnson stated that there is probably a wholesale accumulation of codes in various industries and they are holding them back because of better business conditions. He said that he now has 52 small codes but they are only from segments of various industries.

The new codes, he said, will control the piling up of unmanageable surpluses in various industries.

During this week announcement was made of the appointment by General Johnson of Edward R. Stettinius, Jr., as liaison officer with the National Recovery Administration. He will maintain his offices in Washington and devote all of his time to assist the Administration. He is vice president of General Motors Corporation.

Donald B. Richburg, general counsel of the Administration, said this week that "we are not trying to establish public management of private business. We are not trying to fix prices or wages by governmental order, and we are not trying to unionize labor by federal command."

The Administration is expecting a number of codes from important industries during the coming week.

HAVE YOU PAID YOUR DUES?

New demands are being made upon all trade associations by the Government in connection with its program for the recovery of all business. These new demands are imposing added burdens upon association executives and members alike and can be met only through the closest cooperation. The National Association of Broadcasters, the only organized broadcasting group, wants to meet its obligations to its Government and to its members. New and valuable services are being instituted for the benefit of members. These cost money but the cost will be met if every member pays his dues promptly. The constitution and by-laws of the Association are specific on the subject of delinquents and in accordance with these provisions the Association will drop from membership every member whose dues have fallen in arrears. Invoices were mailed to all members on July 1. See to it that your dues are paid promptly.

ENGINEERING SECTION PROGRAM

In accord with a resolution passed at the meeting of the NAB Engineering Section at Chicago, June 26, favoring a complete study of the engineering factors involved in the so-called horizontal power increase for local and regional stations, plans are being prepared by J. A. Chambers, chairman, NAB Engineering Committee, and J. C. McNary, NAB engineer, for carrying out the terms of the resolution.

It is expected that a committee of five, consisting of one engineering representative from each zone as provided by a second resolution, will be announced during the coming week.

Active cooperation of member stations will be required in prosecuting the comprehensive program to a conclusion that will be beneficial to the industry as a whole.

ENGINEERING SECTION PHOTOGRAPHS AVAILABLE

Photographs of the Chicago meeting of the Engineering Section may be obtained from NAB headquarters at $1.00 per copy.

FEDERAL RADIO COMMISSION ACTION

APPLICATIONS RECEIVED

First Zone

WNBH—Irving Vermilyea, tr. as New Bedford Broadcasting Co., New Bedford, Mass.—Modification of license to change frequency from **1310 kc.** to **1200 kc.**, contingent upon change of WORC from **1200 kc.** to **1280 kc.** and change of WPRO from **1210 kc.** to **630 kc.**

Fourth Zone

WHB—WHB Broadcasting Co., Kansas City, Mo.—Special experimental authorization to change from **860 kc.**, 500 watts daytime to **1120 kc.**, 500 watts night, 1 KW day unlimited time for period ending 12-31-33. (Note: This application was granted for 90 days on June 30.)

Fifth Zone

KOA—National Broadcasting Co., Inc., Denver, Colo.—Modification of construction permit, for 50 KW, amended to change requested transmitter site and as to type of antenna.

APPLICATIONS RETURNED

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Modification of license to change specified hours of operation (improperly executed).

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Construction permit to move transmitter to Lake Clear, N. Y., install new transmitter, and change from **1420 kc.**, 100 watts daytime to **1290 kc.**, 250 watts, specified hours (wrong form, Rule 6, and equipment).

NEW—Mr. S. J. Carnes, Camden. Ark.—Construction permit for a new station, **750 kc.**, 15 watts, unlimited time (improperly executed, Rule 6, 116, 117, 151, proposed equipment and transmitter location unsatisfactory).

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 1 - - No. 20
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RADIO CONFERENCE UNDER WAY

The North and Central American Radio Conference got under way this week.

The first meeting was held on Monday, July 10, with Sr. Coronda, of the Department of Communications and Public Works, presiding.

In a speech welcoming the delegates to Mexico, he said:

"With the exception of European and American countries which have concluded treaties for the allocation of frequencies for broadcasting, in a precise and definite form, the majority of the nations participating in this conference have not contracted, up to date, obligations derived from any contractual relation upon a topic of such significance, and as an immediate effect of the circumstances referred to, the allocation of frequencies has been realized freely in the interior of each State. So we are at a point in which the reciprocal interferences occasioned as a consequence of the number and power of the broadcasting stations have come to make indispensable, urgent and vital, an agreement, the most serious purpose of which should be that of eliminating the unfavorable conditions in which such stations operate, tending, as a logical corollary, to the attainment of greater efficiency and to the most favorable use and development of the channels employed for broadcasting.

"We are facing a state of affairs very close to anarchy due to the typical manifestations peculiar to it. To establish order, in this sector of collective reality under the aegis of law and technique, is an eminent and civilizing task.

"The juridical principle of the equality of States which is proclaimed by modern international law, as resulting from the most complete power of independence and as a support of international ties, should be restricted or limited exclusively by express and voluntary waiver of rights which emanate from it, either by giving an outward form to the will through an agreement, or in an explicit manner, through the customary practice, and provided it is convenient to the national interests to establish, preserve or strengthen the friendly ties with other countries, which may be expressed in tangible demonstrations of cordiality and proper understanding, even though the renouncement of certain rights may become necessary, provided the decorum of nations is unimpaired.

"The Government of Mexico, aware of the significance involved by the disparity of circumstances which prevail in the countries of North and Central America, in a chapter of social life filled with such a future as is that of radio broadcasting, and prompted by an ample spirit of harmony, entertains the hope that there will be attained in the present conference, the basic principles of coordination and of equilibrium which may serve as a lasting foundation to settle adequately in the future the technical and legal differences concomitant with the development of broadcasting in international matters. I wish to emphasize the fact that our Government is willing to waive some if its rights with respect to the use and development of such an important means of communication, without any limits other than those imposed upon it in satisfying its present and future needs."

In replying to Sr. Coronda, Judge Sykes, chairman of the American Delegation, said:

"The science of mankind has as yet been able to find but a limited number of radio facilities for the use of the entire world, therefore it becomes necessary for the nations of the world to agree on a just and equitable basis whereby each nation may have its prorata use of these facilities. Though but an infant in point of age, radio has reached a state of utmost importance in world-wide and continental communication. When we think that a radio communication circumscribes the globe in an infinitesimal point of time, its importance socially, in the business world and in the relationship of nations, is self-evident. A few days ago I talked by radio telephone from the city of Washington to the city of Manila in the Philippine Islands and the clarity of the communication and the tone of voice were as perfect as if I had been conversing over the local phone.

"Agreements among nations with reference to the use of radio facilities are made necessary because the ingenuity of mankind has not yet discovered a way for an unlimited use of a frequency at the same time regardless of distance separation. Some of these frequencies are international in use, which means that they can be used by but one station at that particular time. Others may be used simultaneously in different regions, which means roughly speaking that when stations are separated a certain distance apart they may simultaneously operate without interfering with each other. The two characteristics of these classes were recognized in the Washington Conference and also in the Madrid Conference of last year. It is with these regional stations that we have come here to try and reach an agreement as to their use in North and Central America. We know the characteristics of these frequencies. We know how far apart stations of a given power should be separated from each other in order that each may properly operate and serve its purpose without undue interference with the other. We know that if these laws of natural science are not observed and stations are indiscriminately operated, the result is chaos and that radio communication is practically destroyed.

"We all recognize the importance of radio. It is the annihilator of both time and distance. It is one of the greatest powers in the world for good when properly used and for evil when improperly used. It is one of the most important means for the establishment of cordial relationships among nations and for the continued preservation of world peace. In North and Central America we should use it to further establish and maintain the present cordial relationships that exist among us as neighbor nations.

"You have spoken, Mr. Secretary, of the difficult problem that lies before us in reaching an agreement. I agree with you that it is difficult. I would, however, again impress upon all of us the importance of our reaching an agreement. Our difficulties should not be as great as those that confronted the European Broadcasting Conference just concluded a short time ago in which an agreement was reached by the nations of Europe. Their problems were even more difficult than ours are, yet, realizing the importance of reaching an agreement in order that broadcasting might exist on that continent, the various differences of those nations were finally adjusted and an accord reached. Let it not be said of us that continental Europe with the vast intricacies of its problem was able to reach an agreement and North and Central America failed."

It was revealed that representatives of the United States and Mexico met at San Antonio, Tex., in March 1932 and at that time agreed to the present meeting after the conclusion of the Madrid Conference.

The Mexican Government extended invitations to Canada, Costa Rica, Cuba, El Salvador, Guatemala, Honduras, Nicaragua, Panama and Newfoundland in addition to the United States. Panama and Newfoundland are not represented at the conference.

The first sessions of the conference were devoted to organization and to the appointment of committees to study and report on various phases of the allocation problem involved. No specific proposals for the allocation of frequencies has as yet been proposed nor has Mexico made known officially the basis upon which it will demand facilities.

Reports are to the effect that Mexico may consider area as a basis for its claims and that it will ask only for facilities in the present broadcast band.

In the deliberations so far the question of the status of border stations has not been determined, nor has it been indicated that the same basis for allocating facilities for regional and local stations as exists between the United States and Canada will be followed by Mexico and other southern countries.

It is conceded that the principal difficulty will revolve around the allocation of national or clear channels.

It is as yet too early to predict the results of the conference and whether or not a total or partial reallocation in the United States may be necessary as a corollary to the conference. Nor can it be predicted at this time whether or not a basis for agreement can be found although the heads of both the American and Mexican delegation in their addresses to the meeting stressed the necessity for an agreement.

While the first session was open to invitees, working sessions of the conference are to be closed.

James W. Baldwin, who is representing the National Association of Broadcasters, will send in periodic reports on the progress of the sessions and such information as is obtainable will be sent to members through the medium of the NAB REPORTS.

SPOT BROADCASTING ORDER APPROVED

The Board of Directors of the NAB has approved the Standard Order Blank for Spot Broadcasting which has been developed in cooperation with the American Association of Advertising Agencies. The order is now being printed and will be available for distribution within the next week.

The Standard Order Blank for Spot Broadcasting is similar to the Standard Order Blank for Publications in use since 1920.

So far as possible the conditions governing the placing of spot broadcasting conform to those governing contracts and orders for publications. Points of similarity include:

1. Terms of payment reading in part: "The agency personally agrees to pay, and the broadcasting station agrees to hold the agency solely liable for payment."

This is a clarification of the position taken by media owners and agencies and corresponds with a similar paragraph in the recently announced revised publication order blank.

2. Rates are guaranteed to be the lowest in effect and all shall be published.

3. A new clause in which the agency agrees that it will not rebate to its client any part of the commission allowed by the station, is identical with a new clause in the publication form.

There are naturally many points of difference due to the difference in handling between the broadcasting and the printed advertising medium. Among the special broadcasting provisions are the following:

1. Contract may be terminated on two weeks' notice.

2. In case of substitution of sustaining program, with notice to agency less than two weeks in advance of broadcast, the station will reimburse the agency any non-cancellable cost of live talent.

The purpose of the Standard Order Blank is to facilitate placing of spot broadcast advertising and the handling of it by stations under uniform conditions. The greatest benefit of the form will come from the widest use of it.

Both associations plan to promote adoption of the new form which will be available to all bona fide advertising agencies whether members of the A. A. A. A. or not.

July 7, 1933.

PROGRAM CLEARING HOUSE BEGINS WORK

Following the announcement of its establishment in last week's bulletin, the Program Clearing House immediately began operation. As a result it is able to announce the first group of programs available to member stations.

The following conditions should be clearly understood with regard to the operation of the Program Clearing House. (1) The service is available only to members of the NAB. (2) Offers of programs to member stations are subject to such conditions as the offerer may prescribe. (3) The NAB acts merely as a clearing house. It does not guarantee the quality, originality or any other aspect of programs offered. It does not handle continuities, confining its activities merely to the publication of program summaries and the transmission of inquiries to the offering station. When making inquiries stations are requested to refer to programs by their classification number.

Programs offered by stations at the present time are:

(D 7:1) "Tragedies of Today." Two to four voices, men and women. A fifteen-minute program emphasizing in dramatic form the dangers of dirty windshields, bad brakes and other automobile faults. Sponsors, one or more garages.

(H 1:1) "Beauty Club." Two voices, women. A five-minute program in which the operator of a "beauty club" converses with her secretary, telling her where she sent certain women for beauty aids. Sponsors, beauty parlors, reducing establishments, ladies' ready-to-wear shops, shoe stores.

(H 3:1) "Pantry Shelf." Four characters. Doubling on characters is possible. Continuity can be made to run from five to fifteen minutes. Characters are "help" in homes, indulging in domestic gossip and citing where to go for the best groceries in various parts of the city. Sponsors, a number of non-competing grocery stores, delicatessens and meat markets.

(D 7:2) "Used Car Skits." Two voices. Two-minute program, emphasizing the desirability of owning a car. Sponsor, used car dealer.

(D 7:3) "Bank Blackouts." Two voices, varied. Two-minute program emphasizing the desirability of using a bank. Sponsor, bank.

(D 7:4) "Realty Skit." Two to four voices, varied. Conversation in a family or other group, containing as part of the conversation, a description and selling talk for some property or development. Sponsor, realtor.

(D 7:5) "Rent-A-Car Skit." Two to four voices, varied. Conversation leads to the recommendation that a car be rented from the sponsor, the sale talk being incorporated in the program. Sponsor, garage.

REQUESTS FOR PROGRAM AND SALE INFORMATION

A member station desires to secure information as to the success achieved by stations in broadcasting programs or announcements advertising articles used in households or on farms for repairs, maintenance of equipment and similar purposes. The type of product in mind includes commodities such as hardware, solder and like goods. Any experience which stations may contribute as to successful programs and sales results achieved on programs of this type will be greatly appreciated. Please send your information to the NAB office.

Another NAB member is desirous of securing information as to the station which is broadcasting a program entitled "Tom Quiz and the Professor." The program advertises an electric refrigerator.

PATENT CLAIMS OF WIRED RADIO, INC.

Wired Radio, Inc., 60 Broadway, New York City, which owns outright 1150 patents and applications in the communications field, has sent notices of patent infringements to 51 broadcasting stations. Some of these stations are members of the National Association of Broadcasters and for this reason efforts have been made to clarify the situation.

The National Association of Broadcasters is informed by the Graybar Electric Company and the Western Electric Company that purchasers of Western Electric radio broadcasting transmitting apparatus will be defended against infringement suits under the terms and conditions of the sales agreements with such purchasers. The Radio Corporation of America has furnished similar information verbally. Owners of RCA or Western Electric transmitters who may be confronted with infringement claims filed by Wired Radio, Inc., should therefore refer the claims to the vendor.

The owner of a composite transmitter or a transmitter of other than RCA or Western Electric manufacture may be liable for infringement of Wired Radio patents if any of the patents are used.

Nearly every broadcasting station operates under an A. T. & T. or RCA patent licence agreement. The National Association of Broadcasters is informed that such license authorizes the use of circuits and apparatus for the specific purpose of broadcasting but that the licensee is not held immune from infringement liability as a result of conflicting patent claims of other parties.

Most of the Wired Radio patents of which we have knowledge and which are pertinent to broadcasting transmitters cover crystal control circuits and devices such as may be used in frequency control circuits in radio transmitters and in frequency monitors. Owners of frequency monitors manufactured by the General Radio Company, the RCA-Victor Company or the Western Electric Company should, if faced with infringement proceedings because of use of such apparatus, consult the manufacturer of the equipment used.

The list of 102 patents attached to the notices of infringement filed by Wired Radio, Inc., contains 16 patents which may be pertinent to circuits or apparatus commonly employed in conventional broadcasting transmitters. A list of the 16 patents with brief descriptions of the claims is appended.

The National Association of Broadcasters is assured by Wired Radio, Inc., that while they are taking the necessary steps to protect their patents, they do not wish to take a dog-in-the-manger attitude or to be unreasonable in any way. No objection is offered to the use of their patents for space radio broadcasting purposes provided those stations actually infringing pay a small license fee. This seems to be a reasonable attitude inasmuch as ownership of patents requires that rights be defended against infringers, otherwise the rights may be forfeited.

So far as is known the validity of the Wired Radio patents relating to broadcasting apparatus has not been tested in court. There are many patents on crystal oscillator circuits, devices and methods of manufacture and many conflicting claims. It is of interest to note that most of the Wired Radio patents listed are the results of work conducted by government employees in government establishments, principally the Naval Research Laboratory. The legality of such procedure whereby private corporations may secure rights to inventions made by government employees has been upheld by the Supreme Court of the United States in the recently decided Lowell and Dunmore case.

The National Association of Broadcasters is informed that negotiations are under way for licensing the Western Electric and the Westinghouse Electric and Manufacturing Company under Wired Radio patents pertaining to broadcasting apparatus.

It is suggested that owners of composite radio transmitters or apparatus or equipment of other than RCA, General Radio or Western Electric manufacture consult the National Association of Broadcasters if faced with suit for infringement, furnishing exact allegations in the suit.

Wired Radio Patents of Possible Application to Broadcast Transmitters:

1,608,047—Radio signalling apparatus—4 claims covering use of concentric transmission line between transmitter and antenna. The circuits are unconventional, however, in the methods of terminating the line.

1,619,854—Piezo-Electric Crystal Apparatus—5 claims relative to crystal holder, comprising a retaining ring around the crystal having a plurality of inwardly directed contacting portions to prevent the crystal from wandering around in the holder.

1,800,576—Piezo-Electric Crystal Apparatus—6 claims relative to crystal holder of the air-gap type having an element to keep the crystal from moving vertically.

1,831,151—Temperature Control System for Frequency Determining Elements—6 claims relative to temperature control box having a fan to circulate the air inside the box.

1,848,630—Piezo-Electric Crystal—5 claims relative to a quartz crystal having the electrodes cathodically deposited on the surfaces of the crystal.

1,822,825—Piezo-Electric Crystal Apparatus—3 claims relative to means of changing air-gap or pressure of crystal holder by screw-thread adjustment.

1,830,642—Piezo-Electric Controlled Oscillating System—13 claims relative to use of 4-electrode tube in a crystal oscillator circuit.

1,688,714—Piezo-Electric Crystal Apparatus—5 claims relative to adjustment of air-gap in crystal holder.

1,683,093—Piezo-Electric Crystal Apparatus—4 claims on screw-thread adjustment of electrode spacing in crystal holder.

1,572,773—Piezo-Electric Crystal Apparatus—16 claims on crystal holder, covering hermetic sealing and electrode arrangements.

1,896,238—Frequency Control System—3 claims relating to use of untuned crystal oscillator circuit with an inductance in the plate circuit.

1,822,928—Piezo-Electric Plate—9 claims relating to method of manufacture of circular quartz disks.

1,738,041—Piezo-Electric Crystal Oscillator—3 claims relating to crystal oscillator circuit, of the tuned-plate variety, having a parallel plate supply through a choke coil.

1,724,232—Piezo-Electric Crystal—6 claims relating to rectangular crystals in which the axes are proportioned to each other in a ratio which is equal to a whole number.

1,696,626—Control Circuit for Electron Tubes—3 claims on crystal oscillator circuit having a choke coil in series with the bias voltage supply, and a parallel plate supply with a choke coil in series with the "B" voltage supply.

1,683,091—Piezo-Electric Crystal Holder—14 claims on pressure type of crystal holder, whereby pressure is exerted by a resilient element between case and electrode, and on multiple crystal holders.

OIL CODE REGULATES ADVERTISING

The code of fair competition submitted to the administrator of the National Industrial Recovery Act by the petroleum industry on July 13 contains several important rules governing the advertising of petroleum and petroleum products. The code has not yet been approved by the President.

The rules relating to advertising are as follows:

"Lotteries, prizes, wheels of fortune, or other games of chance shall not be used in connection with the sale of petroleum products.

"Refiners, distributors, jobbers, wholesalers, retailers, and others engaged in the sale of petroleum products shall not give away oil, premiums, trading stamps, free goods, or other things of value, or grant any special inducement in connection with the sale of petroleum products.

"The broadcasting or publishing, in any manner, of a claim, representation, or implication which might be reasonably construed to lead to a false or incorrect conclusion in regard to the goods, prices, or services of the advertiser, or in regard to the goods, prices, or service to a competitor, or which lays claim to a policy or continuing practice of generally underselling competitors, is an unfair and uneconomic practice and is prohibited."

SECURITIES ACT REGULATIONS

Copies of the Federal Trade Commission's regulations under the Securities Act will be ready for distribution early next week. These copies will be punched for the NAB HANDBOOK and members are urged to include them in the handbook along with the copies of the act previously sent. As pointed out in earlier issues of NAB Reports, the regulations relate in part to the advertising by radio of securities issues.

MEMBERSHIP DRIVE TO BEGIN

The Managing Director sent to the printer this week a comprehensive outline of all activities of the NAB which is to be used in connection with a membership drive to be conducted under the auspices of the Membership Committee. Every member of this Committee and every member of the Association is urged to assist in this drive for new NAB members.

FEDERAL RADIO COMMISSION ACTION

No broadcast hearings will be held during the week beginning July 17.

APPLICATIONS GRANTED

First Zone

WBZA—Westinghouse Electric & Mfg. Co., Boston, Mass.—Granted construction permit to make changes in equipment.

Second Zone

None.

Third Zone

WHEF—Attala Milling & Produce Co., Kosciusko, Miss.—Granted modification of construction permit extending commencement and completion dates to 7-24-33 and 1-24-34.

KFLX—Geo. Roy Clough, Galveston, Texas—Granted license covering move of transmitter and studio; **1370 kc.,** 100 watts, unlimited time.

Fourth Zone

KFH—Radio Station KFH Co., Wichita, Kans.—Granted modification of temporary license, pursuant to and in conformity with the Mandate of the Court of Appeals of the District of Columbia, contained in Stay Order granted by said court July 10, 1933, in Cause No. 6006, Unity School of Christianity (WOQ), Appellant, v. FRC, in said court, and in effect subject to the further order of that court and the Commission pending determination of the issues raised by said appeal. (Station KFH to operate 5/7 time on **1300 kc.,** 1 KW; WOQ 2/7 time.)

WOW—Woodmen of the World Life Insurance Association, Omaha, Nebr.—Reconsidered and granted application for full time on **590 kc.;** application of WCAJ for facilities of WOW retired to closed files; WCAJ withdrew its objections and consented to grant of full time to WOW. The license of WCAJ is to be surrendered.

Fifth Zone

None.

APPLICATION SET FOR HEARING

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Application for renewal of license.

APPLICATIONS RECEIVED

First Zone

WMIL—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit, granted 3-31-33 to move transmitter and change equipment, to extend date of completion to 10-1-33.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Modification of license to reduce specified hours of operation.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit granted 3-31-33 to make changes in equipment and extend dates of commencement and completion.

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit to install new equipment and increase power from 250 watts to 1 KW.

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Construction permit to change transmitter location to Lake Clear, N. Y., new equipment, change frequency from **1420 kc.** to **1290 kc.**, increase power from 100 to 250 watts. Requests facilities of WNBZ.

WOL—American Broadcasting Co., Washington, D. C.—Construction permit to make changes in equipment.

NEW—Philip N. Hobson, Medford, Mass.—Construction permit for new station to use **1500 kc.**, 100 watts, night, and 250 watts to local sunset, unlimited hours.

NEW—Julio M. Conesa, Ponce, P. R.—Construction permit for new station to use **1420 kc.**, 100 watts night, 200 watts to local sunset, unlimited hours.

WJZ—National Broadcasting Co., Inc., New York—Special experimental authorization to use 50 KW experimentally for six months. (Renewal of authorization which expires 8-1-33).

Second Zone

NEW—Maurice Scott, R. D. Laird, Wm. M. Kahanowitz and I. Kahanowitz, d/b as Greensburg Broadcasting Co., Greensburg, Pa.—Construction permit for new station to use **1420 kc.**, 100 watts, daytime, resubmitted and amended as to proposed transmitter location and equipment.

WTAR—WTAR Radio Corporation, Norfolk, Va.—Modification of license to increase power from 500 watts to 1 KW resubmitted and amended to request facilities of WRBX and WPHR.

WEHC—Emory and Henry College, Charlottesville, Va.—Consent to voluntary assignment of construction permit to Community Broadcasting Corporation.

Third Zone

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Modification of license to increase hours of operation to unlimited time.

KGKB—East Texas Broadcasting Co., Tyler, Texas—Construction permit to move transmitter and studio, make changes in equipment.

KGHI—Loyd Judd Company, Little Rock, Ark.—License to cover construction permit granted 5-19-33 for equipment changes and increase day power from 100 to 250 watts.

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of construction permit granted 6-9-33 to extend date of commencement to 7-19-33.

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—License to cover construction permit issued 6-15-33 for new equipment, change frequency, power and hours from **1360 kc.**, 1 KW 1¼ KW to local sunset, shares WGES, to **560 kc.**, 1 KW, unlimited hours.

WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Consent to voluntary assignment of license to Missouri State Highway Patrol.

KICK—Red Oak Radio Corporation, Carter Lake, Iowa—License to cover construction permit to move station from Red Oak to Carter Lake.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Authority to install automatic frequency control.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Modification of license for authority to use old transmitter as auxiliary when new equipment authorized in construction permit is licensed.

KGIZ—Grant City Park Corp., Grant City, Mo.—Consent to voluntary assignment of construction permit granted 6-30-33 to KGBX, Inc.

NEW—Central Broadcasting Co., Davenport, Iowa—Construction permit for new station to use **1310 kc.**, 100 watts night, 250 watts to local sunset, unlimited hours, resubmitted and amended for changed equipment and to request 100 watts day and night. Requests facilities of WIAS, Ottumwa, Iowa.

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Modification of construction permit granted 10-21-32 to change transmitter and studio one mile from proposed location, change equipment and increase specified hours. Amended to omit request for change in hours of operation.

NEW—The Journal Co. (The Milwaukee Journal), Ellis, Wis.—Construction permit for new station to use **900 kc.**, 1 KW night, 2½ KW to local sunset, unlimited time (facilities of WHA and WLBL).

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of license to change frequency and power from **620 kc.**, 1 KW night, 2½ KW to local sunset, to **670 kc.**, 5 KW (facilities of WMAQ, WHA, and WLBL).

Fifth Zone

KGDM—E. F. Peffer, Stockton, Calif.—Modification of license to change hours from daytime to daytime and 12 midnight to 6 a. m. Resubmitted and amended to request facilities of WPG and WLWL. Consent of WPG and WLWL filed.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—Modification of license to change frequency from **1230 kc.** to **850 kc.** Amended to request change to **600 kc.**

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to change location of transmitter and equipment (use KFI's auxiliary transmitter with changes), increase power from 1 KW to 1 KW night and 2½ KW to local sunset (facilities of former station KGEF now assigned to KFAC). Amended to also change frequency from **1430 kc.** to **780 kc.**

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Construction permit to make changes in equipment and increase power from 500 watts to 500 watts night, 1 KW to local sunset. Requests facilities of KFWI, San Francisco.

NEW—C. G. Phillips and Frank Hill, d/b as Boise Broadcast Station, Baker, Ore.—Construction permit for new station to use **1210 kc.**, 100 watts, daytime.

NEW—Wyoming Broadcasting Co., Cheyenne, Wyo.—Construction permit for new station to use **780 kc.**, 500 watts night, 1 KW day, unlimited hours (to be considered under Rule 6-f).

KDFN—Donald Lewis Hathaway, Casper, Wyo.—Construction permit to move transmitter and studio locally and make changes in equipment.

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Construction permit to make changes in equipment.

NEW—P. B. Newman, Sacramento, Calif.—Construction permit for new station to use **1490 kc.**, 5 KW, unlimited time. Resubmitted with corrections.

APPLICATIONS RETURNED

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit issued 3-31-33, new transmitter and increase power from 300 to 500 watts for changes in equipment and to extend date of completion (improperly executed and all sections not answered).

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit to install new equipment and increase power from 250 watts to 1 KW (Rule 6-c and 6-d; Section 15 incomplete).

NEW—Price Siever and J. W. Steele, Jr., Marlow, Okla.—Construction permit for new station to use **650 kc.**, 100 watts, unlimited hours. (Violation rules 116, 117, 6, inconsistent answers to Sections 15 and 18, etc.)

NEW—Central Broadcasting Co., Davenport, Iowa—Construction permit for new station to use **1310 kc.**, 100 watts night, 250 watts to local sunset, facilities of WIAS. (Rule 6 inasmuch as proposed station would be 0.1 unit more than quota charge of WIAS; equipment and insufficient information on proposed transmitter location.)

NEW—P. B. Newman, Sacramento, Calif.—Construction permit for new station to use **1490 kc.**, 5 KW, unlimited hours. (Transmitter location not satisfactory and all sections not answered.)

NEW—Ted L. Fullerton, Carlsbad, N. Mex.—Construction permit for new station to use **1200 kc.**, 25 watts, daytime, resubmitted and amended to request 50 watts and changes in equipment (Rule 6, equipment and transmitter location).

NEW—George W. Schleicher, San Francisco, Calif.—Construction permit for new station to use **930 kc.**, 500 watts, share KROW ½ time. (Not in proper form, all sections not answered, and Rule 6.)

NEW—Victor Beverly Pitts, Raton, N. Mex.—Construction permit for new station to use **1500 kc.**, 100 watts, daytime. (Rule 6, unsatisfactory equipment, insufficient information as to proposed transmitter location.)

WTNJ—Woax, Inc., Trenton, N. J.—Authority to determine operating power by direct measurement (request of applicant).

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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BROADCASTERS RECEIVE AGREEMENT

All broadcasting stations will receive from their postmasters copies of the President's Reemployment Agreement as authorized under Section 4a of the National Industrial Recovery Act.

"This agreement is part of a nation-wide plan to raise wages, create employment, and thus increase purchasing power and restore business," President Roosevelt points out in a statement made public simultaneously with the announcement of the agreement. "If it turns out that the general agreement bears unfairly on any group of employers, they can have that straigthened out by presenting promptly their proposed code of fair competition."

President Alfred J. McCosker of the NAB will be in Washington for a conference with the Managing Director on the general subject of the application of the National Industrial Recovery Act to broadcasting and the general procedure to be followed. At the same time President McCosker will confer with various government officials and transact other important Association business as well as give consideration to the appointment of a number of new committees.

It is hoped that this new code will be effective August 1, but it has been pointed out by officials of the Recovery Administration that it is perfectly obvious that it cannot be effective for any individual manufacturer until he himself has signed the agreement.

The President in his statement also has said that if codes are not received by September 1 the Administration will take a hand and call hearings for individual industries and help draw up a code for that particular industry.

In announcing the establishment of this new blanket code the Recovery Administration says that "the employers' part is to act at once and all together to submit and scrupulously comply with agreements with the President to shorten hours and raise wages and to cooperate with employees in peaceful adjustment of differences."

In the next few weeks there will be a nation-wide publicity campaign in connection with the adoption of the blanket code, including cards to be displayed by those who have signed their agreement.

N. A. RADIO CONFERENCE PROGRESSES

The second week of the North American Radio Conference at Mexico City found committees at work on various phases of the conference agenda with a view to completing their reports for presentation at plenary sessions which are to begin shortly. No formal proposals relating to the allocation of frequencies have as yet been presented nor have the demands of Mexico and Central American countries become officially known.

The committees are meeting behind closed doors and under the rules of the conference discussions will be closed to all except officially designated government representatives.

Whether or not the conference will consider frequencies below 550 kc. for broadcasting is still problematical. It is understood unofficially that Mexico desires channels only in the broadcast band, although Canada feels that the band could be widened to include 540 kc, 530 kc., 520 kc., and 510 kc., on condition that adequate safeguards are set up to protect the distress frequency of 500 kc. Canada proposed widening the band down to 460 kc. during the Madrid conference last September. The plan, however, was not adopted when a decision was reached that the matter was properly one to be discussed at a regional conference.

While the position of the United States has not been made officially known it is doubtful if this country's delegation will agree to widening the band below 550 kc. if ways and means can be found to work out a solution otherwise.

Indications are that the conference will be in session at least several more weeks and there is some prospect that the important issues of the conference will appear when the time for plenary sessions are reached.

There is a feeling that the Mexican government will adopt the fifty cycle deviation tolerance now adopted in both the United States and Canada and that there will be no departure from the present separation of ten kilocycles. It is also believed that approximate mileage separations applicable to regional and local stations will be accepted.

While it is not yet known definitely how many clear channels will be requested by Mexico and Central America, it is certain that the United States delegates will resist any excessive demands.

SECURITIES ACT REGISTRATIONS

The Federal Trade Commission is considering the promulgation of a ruling designed to govern radio, newspaper, and magazine announcements of investment offerings under the provisions of the Securities Act passed by the last Congress.

Chairman March of the Commission said that a number of reports relating to wildcat stock schemes had reached the Commission and some of the broadcasts under scrutiny are said to originate at privately owned stations in Mexico.

"While it is not mentioned by name in every applicable section of the Act, the radio, as a means of interstate communication, clearly would come within the meaning of the Act as definitely as do the United States mail service, the telephone and the telegraph," Chairman March is quoted as saying in an interview printed on July 20 in the New York *Times*.

Members of the NAB have received a copy of the Act as approved by the President and also a copy of the regulations formulated by the Trade Commission. These have been punched for insertion in the NAB HANDBOOK and should be followed carefully.

As a further means of keeping NAB members informed with respect to compliance with the Act. NAB Reports will publish weekly the names of all firms registering statements with the Trade Commission. A partial list, which will be supplemented next week and each week thereafter, follows:

Insured Investors, Inc., Kansas City, Mo.
Interstate Investors, Inc., New York.
Paymaster Consolidated Mines, Ltd., Toronto, Canada.
Plymouth Fund, Inc., Jersey City, N. J.
Stutz Motor Car Company of America, Inc., New York City.

KANSAS CITY MILK CODE PROPOSALS

The code of fair practices included in the marketing agreement proposed by the Pure Milk Producers Association, Inc., of Kansas City, Mo., the Milk Service Association of Kansas City, and Independent Dairies, Inc., on which public hearing was in Washington this week, contains the following rules with respect to advertising:

The code declares to be unfair—

"Giving away goods or samples other than is customary, in such quantities as to hamper or embarrass competitors, or to have virtually the effect of rebates.

"Selling merchandise that is misbranded, or in any way misleading to the public.

"Giving away to any customer or member of family or any employee of a family special inducements not enjoyed by the members' general trade.

"Making false or disparaging statements either written or oral, or circulating harmful rumors respecting a competitor's products, selling price, business, financial or personal standing.

"Advertising in any program, periodical or publication of any kind whatsoever, unless such publication has a general paid circulation, or is for sale on news stands.

"False or misleading or injurious advertising, or spreading of false statements by advertising printed, written or oral."

The code has not yet been sent to the President by the Secretary of Agriculture.

FREQUENCY MEASURING SCHEDULES

The Commission this week announced schedules of after-midnight transmissions for approximately 300 broadcasting stations, to take place during the first week of each month, for facilitating frequency measurements by the Commission's monitoring stations in various parts of the country.

The extra transmissions are largely confined to stations operating on local or regional channels and are necessitated by the interference which ordinarily exists on these channels during hours of regular operation.

The Commission's statement adds that "Stations that are found to be operating well within the authorized tolerance of fifty cycles by means of rough checks will not be measured accurately; therefore station licensees should not apply to the Commission or to the monitoring station for records of measurements. Stations that are found to be operating beyond the limits of the tolerance will be measured accurately, and notified."

PROGRAMS OFFERED BY NAB CLEARING HOUSE

Response to the establishment of the NAB Program Clearing House during the two weeks in which it has been in operation has been highly enthusiastic. Programs offered during the current week by member stations are as follows:

(D 1:1) "Old Time Minstrel Show." Talent required includes a male quartet, interlocutor, two end men, small orchestra, and soloists, if desired. Interlocutor and end men may be members of quartet. Small or large orchestra may be used.

Program is available in 13 half-hour shows or 26 quarter-hour shows. Half-hour shows have been used with success as a sustaining program, while quarter-hour shows have been signed for 52 weeks' sponsorship on a cooperative grocery series over a regional network.

Program lends itself admirably to type of program for which it is now used, as jokes can be localized, thus giving six or eight legitimate mentions of names on a single program without offense. Scripts have been prepared by a man expert in old-fashioned minstrelsy, and have been selected after most careful study of existing material.

Recommended instrumentation for small orchestra includes two saxaphones, one violin, trumpet, trombone, banjo, drums, piano, together with conductor.

Complete scripts available at $10 per quarter-hour show and $20 per half-hour program. Complete musical numbers with orchestrations are available—prices on request. Sample scripts will be furnished on request.

(D 2:2) "The Perkins Family." Four characters, two male, two female, with several episodes requiring additional cast. Program is fifteen minutes in length. Twenty-six episodes are available.

Program is a homely New England series, laid in a small Vermont town with Mr. Perkins as manager of the local "Grand Opera House." Author has written many successful vaudeville acts and several books of more serious nature. Price of program is $10 per episode. Samples available upon request.

(CH 2:1) "The Adventures of Christy Carter." Program revolves around a boy hero of the Horatio Alger type. Is suitable for youthful audience. Requires six characters. Fifteen minutes in length.

Program was used for thirteen weeks, three programs per week, by food products company, resulting in doubling of sales in the primary service area of the station. Contract renewed. Entire series of 39 episodes available for $100.

(CH 2:2) "The Billikan Bukaneers." A treasure hunt thriller for children. Program is fifteen minutes in length and requires six characters. Program used by same sponsor as (CH 2:1) in same territory with satisfactory results. Resumption of series being planned for fall season. Entire series of 39 episodes available at $100.

(D 2:1) "The Village Choir." Talent required includes mixed quartet and two rural characters, both male. An organ also is necessary. Program is thirty minutes in length. The idea of the program revolves about the two characters, Tom and Joe, who meet weekly at the old village church. Each episode tells a complete story of village life as related by these two characters. The dialogue is interspersed with the singing of hymns by the quartet. The program has been quite successful as a sustaining period. Individual episodes available at $5 each. If ordered by three or more stations the price per episode will be reduced to $3.

(Mis 2) "The Highway of Harmony." Vocalist and orchestra on weekly program sponsored by local Hudson-Essex distributor. A distinctive feature of the program is its dedication to the outstanding dealer salesman in the territory each week. Sponsor's message is tied in with titles. Further details can be secured from offering station without charge. No continuities are offered for sale.

(D 7:6) "The Dans at Home." Series of two- to three-minute dialogues suitable for sponsorship by a drycleaning plant or laundry. Most desirable sponsor would be one combining two activities. Dialogue is done over a musical background and has proven very successful in commercial sponsorship.

(Mis 1) "The Danville Program." Two voices, in addition to the announcer who takes part in program. Program idea is that of persuading people to buy in their own home town. The name of any community can be substituted in the script. Program consists of five minutes dialogue, the remainder of a fifteen-minute period being filled in with music. Available for thirteen weeks. Has been of considerable assistance to offering station in selling local accounts.

The following conditions should be clearly understood with regard to the operation of the Program Clearing House: (1) The service is available only to members of the NAB. (2) Offers of programs to member stations are subject to such conditions as the offerer may prescribe. (3) The NAB acts merely as a clearing house. It does not guarantee the quality, originality, or any other aspect of programs offered. I does not handle continuities, confining its activities merely to the publication of program summaries and the transmission of inquiries to the offering station. When making inquiries stations are requested to refer to programs by their classification number.

REQUEST FOR SALES INFORMATION

Any information which member stations possess in regard to the relative value of morning and evening time for the advertising of toilet soaps will be greatly appreciated. Please send your information to the NAB office. Sources of information will be kept strictly confidential, only digests being sent to stations making inquiries.

UNIQUE COOK BOOK OFFERED BY MEMBER STATION

Member stations interested in offering cook books and similar items in connection with food broadcasts should familiarize themselves with the cook book offered to listeners by WTIC, Hartford, Conn., in connection with its "Mixing Bowl" program, sponsored jointly by a number of household appliance and food accounts.

The booklet is a loose leaf affair making possible the insertion of additional mailings and providing space for the housewife to make her own index of favorite recipes.

A mailing list of 12,000 names has been built up with the booklet. This list is kept up to date by means of a mailing three times a year, containing additional recipes and a return post card which the recipient fills out if she wishes to be kept on the mailing list.

RECOMMENDS POWER INCREASE FOR WGNY

Peter Goelet, Chester, N. Y., owner of Station WGNY, applied for permission to increase the power of his station from 50 to 100 watts. Report No. 495 (Hill, e) recommends that the application be granted.

Station WGNY operates on a frequency of 1210 kilocycles using specified hours, and the Examiner found that the granting of the application "from a practical standpoint" would not cause any substantial interference.

WMAS GETS INCREASED POWER

The Radio Commission on July 21 upheld Former Chief Examiner Ellis A. Yost in his Report No. 487 in which he recommended that Station WMAS, Springfield, Mass., be granted authority to increase its daytime power from 100 to 250 watts and to install new equipment.

The Commission found that "the improvement in service will more than offset any interference that may reasonably be expected" and further that "the granting of the application will tend toward the equalization of broadcast facilities among the states and zones."

RECOMMENDS NEW STATION DENIAL

Philip J. Wiseman, asked for a construction permit for a new station to be erected at Lewiston, Me. Report No. 492 (Hill, e.). Recommended that application be denied.

Wiseman asked to erect a station with 500 watts power, to use a frequency of 640 kilocycles with limited time.

The Examiner points out that the granting of the application would result in an increase in broadcast facilities of an already over quota state and "would involve a violation of Paragraph 6 (c) of the Rules and Regulations of the Commission and Section 9 of the Radio Act of 1927 as amended by Section 5 of the Act of March 28, 1928."

ASKS RCA LICENSES BE CANCELLED

C. Wood Arthur, a resident of this city, has filed a petition asking for a mandamus by the Supreme Court of the District of Columbia directing that the Federal Radio Commission cancel radio licenses, broadcasting and short wave, granted to the Radio Corporation of America and its subsidiaries.

In this connection the name of Mr. Arthur does not appear in the latest edition of the telephone directory and also it is stated at the Commission that it has received from time to time several "fan" letters from him.

It is alleged in the papers filed in the Court that the Federal Court of Delaware found R. C. A. guilty of a practice that tended to a monopoly and that in spite of this the Commission has renewed licenses which Mr. Arthur contends is not in accord with the Radio Act.

PETTEY ON INSPECTION TRIP

Herbert L. Pettey, new secretary of the Radio Commission, left here this week for an inspection trip in the west. It is possible that he will join Commissioner Lafount later. He will return on August 9.

STAY ORDERS GRANTED

This week the Court of Appeals of the District of Columbia granted stay orders against the Radio Commission in three appeals, including WOQ, Kansas City, Mo., WHAS and WLAP, Louisville, Ky.

In the WOQ case that station appealed and asked for a stay order against the Commission because it gave KFH, Wichita, Kans., its frequency of 1300 kilocycles.

Station WHAS appealed and asked for a stay order because of the action of the Commission in granting Station KFIW permission to move from Hopkinsville to Louisville, Ky., without having notified WHAS of the action in time to attend the hearing.

WLAP appealed because it had asked for the facilities of KFIW and also because the Commission granted the station permission to move to Louisville, where WLAP is also located. The Court granted stay orders in all three cases.

RADIO COMMISSION TELEPHONES

The telephone numbers of the Radio Commission have again been changed at their new offices. The Commission can now be reached by calling District 1654-1655-1656-1657-1658-1659 or 1660.

PROGRAM COMMITTEE RECOMMENDATIONS

Following are the more important recommendations of the Program Committee which recently met in Chicago with Ed. L. Bill, presiding. Those who attended were: Frederic Willis, John Elwood, Miss Judith Waller, John Henry and the Managing Director.

The Committee recommended that the National Association of Broadcasters should set up in its offices in Washington a routine for the voluntary exchange of program material of either a commercial or sustaining nature and that an outline of such material should be published in the reports of the Association. It was understood between the members of the Committee that the material exchanged might either be on a free or a paid basis depending upon the will and attitude of the owners.

It was also recognized by the Committee that any individual station might consult the Program Service Department of the National Association of Broadcasters on any problems that might arise relative to program policies and material.

The Program Committee recommended to the Managing Director that an investigation be made of the problems of records and recordings and that the Association obtain if possible a complete list of the record makers, the different types of records available and their prices, and a list of the sound-effect manufacturers and their available material. They also recommended that when this investigation was completed the material be made available to all members of the Association.

The Committee recommended to the Managing Director that a list of program suggestions be compiled which would show the member stations how they could perform a greater public service in the fields of religion, health, education, public affairs, public works, charity, etc.

The Committee recommended to the Managing Director that the Association investigate the cost of compiling and distributing a catalogue of music that is now in the public domain. It was suggested that if the cost were not too great the work should be undertaken and the compilation distributed at a nominal charge to the members of the Association.

It was recommended by the Program Committee to the Managing Director that the Program Service Department should cooperate with the various departments of the government to the end that any programs which the government departments wished to have distributed should be distributed through the Association.

ACTION AGAINST DELINQUENT MEMBERS

Formal expulsion proceedings will be instituted next week against a half dozen NAB members who have failed to pay dues in accordance with the provisions of the By-Laws.

RECORD LISTS FOR RICORDI SUBLICENSEES

Members of the National Association of Broadcasters have received from the Radio Program Foundation a list of the RCA-Victor records whose public performance "on the air" is covered by the Ricordi sublicenses now being issued to broadcasting stations by the Foundation. This compilation has given added impetus to the issuance of these licenses and broadcasters everywhere are now presenting this famous music to their listeners.

Application blanks for Ricordi sublicenses have been sent to all member stations. If they have been lost or mislaid, new blanks may be had upon request to Oswald F. Schuette, President, Radio Program Foundation, National Press Building, Washington, D. C.

Non-member stations may also receive such blanks upon request, but their fees for sublicenses are double those for member stations in the same classification

LICENSEES GET MUSIC DISCOUNT

Under the provisions of the contract by which the Radio Program Foundation acquired the American "air rights" to the Ricordi, all broadcasting stations who hold sublicenses from the Foundation are entitled to purchase the music published by G. Ricordi & Co. of Milan at a discount of 60 per cent from the American retail price. This music may be purchased from the New York office of the Ricordi organization, 12 West 45th Street. Requests for catalogues of these compositions should be sent to Dr. Renato Tasselli, the American representative of Ricordi, at that address.

QUOTA FIGURES AS OF JUNE 30

According to a recent release of the Federal Radio Commission (No. 8828), radio broadcasting facilities, in terms of quota units, were distributed among the states and zones as follows:

	Total		± Quota due	
State	Due	Assign.	± Units	± %
FIRST ZONE				
N. Y.	35.07	37.95	+ 2.88	+ 8
Mass.	11.84	10.46	— 1.38	— 12
N. J.	11.26	11.63	+ 0.37	+ 3
Md.	4.55	4.20	— 0.35	— 8
Conn.	4.48	3.60	— 0.88	— 20
P. R.	4.30	0.50	— 3.80	— 88
Maine	2.22	2.24	+ 0.02	+ 1
R. I.	1.91	1.40	— 0.51	— 27
D. C.	1.35	1.30	— 0.05	— 4
N. H.	1.29	0.92	— 0.37	— 29
Vt.	1.00	0.62	— 0.38	— 38
Del.	0.67	0.62	— 0.05	— 7
V. I.	0.06	....	— 0.06	—100
Total	80.00	75.44	— 4.56	— 6
SECOND ZONE				
Pa.	27.63	20.12	— 7.51	— 27
Ohio	19.07	19.29	+ 0.22	+ 1
Mich.	13.89	10.63	— 3.26	— 23
Ky.	7.50	8.50	+ 1.00	+ 13
Va.	6.95	9.50	+ 2.55	+ 37
W. Va.	4.96	5.61	+ 0.65	+ 13
Total	80.00	73.65	— 6.35	— 8
THIRD ZONE				
Tex.	16.22	23.12	+ 6.90	+ 43
N. Car.	8.82	9.75	+ 0.93	+ 11
Ga.	8.10	8.15	+ 0.05	+ 1
Ala.	7.37	6.42	— 0.95	— 13
Tenn.	7.29	12.80	+ 5.51	+ 76
Okla.	6.67	8.44	+ 1.77	+ 27
La.	5.85	8.39	+ 2.54	+ 43
Miss.	5.60	3.55	— 2.05	— 37
Ark.	5.16	5.30	+ 0.14	+ 3
S. Car.	4.83	2.00	— 2.83	— 59
Fla.	4.09	8.45	+ 4.36	+107
Total	80.00	96.37	+16.37	+ 20

FOURTH ZONE

	Total		± Quota due	
State	Due	Assign.	± Units	± %
Ill.	22.52	33.31	+10.79	+ 48
Mo.	10.71	12.00	+ 1.29	+ 12
Ind.	9.56	7.87	— 1.69	— 18
Wisc.	8.67	7.99	— 0.68	— 8
Minn.	7.57	9.03	+ 1.46	+ 19
Iowa	7.30	11.60	+ 4.30	+ 59
Kans.	5.55	6.05	+ 0.50	+ 9
Nebr.	4.06	7.30	+ 3.24	+ 80
S. Dak.	2.05	2.97	+ 0.92	+ 45
N. Dak.	2.01	2.99	+ 0.98	+ 49
Total	80.00	101.11	+21.11	+ 26
FIFTH ZONE				
Calif.	36.86	38.06	+ 1.20	+ 3
Wash.	10.15	15.59	+ 5.44	+ 54
Colo.	6.72	9.24	+ 2.52	+ 38
Ore.	6.19	9.22	+ 3.03	+ 49
Mont.	3.49	3.85	+ 0.36	+ 10
Utah	3.30	6.60	+ 3.30	+100
Idaho	2.89	3.00	+ 0.11	+ 4
Ariz.	2.83	2.66	— 0.17	— 6
N. Mex.	2.75	4.03	+ 1.28	+ 47
Hawaii	2.39	1.94	— 0.45	— 19
Wyo.	1.46	0.60	— 0.86	— 59
Nev.	0.59	0.70	+ 0.11	+ 19
Alaska	0.38	0.68	+ 0.30	+ 79
Total	80.00	96.17	+16.17	+ 20

STATUS OF STATE LEGISLATURES

The number of state legislatures in session reached a low ebb in the middle of July when only six were still at work, although all but three have been in session at some time since January 1, 1933. Several special sessions have already been called, with the prospect that many more will be called, the need for revenue legislation being a crying one in nearly every state, and some states deeming it necessary to pass special legislation to facilitate cooperation with the President's program under the Industrial Recovery Act.

OKLAHOMA "RADIOCASTING" TAXED

The First Special Session of the Oklahoma Legislature passed House Bill No. 2-X, which became law without approval on July 8, 1933. It is a broad sales tax, providing among other things a tax of one per cent "upon all sales of service in radiocasting, whether in the transmission of messages or otherwise, or in the leasing, hiring, or renting of radiocasting equipment or facilities." Taxes are payable bv the vendor monthly, and the act became effective immediately. The act also levies one per cent upon sales of electricity to domestic or industrial consumers thereof; and with reference to all taxes provides that "No vendor shall advertise or hold out to the public in any manner, directly or indirectly, that the tax herein imposed is not considered as an element in the price to the consumer."

MICHIGAN ACTS ON FALSE ADVERTISING

Public Act No. 259, approved July 13, 1933, entitled an act providing for the protection of the public health and so forth, prohibits the sale, etc., in Michigan of sausage that is adulterated or not properly branded. After defining sausage, establishing the various grades, providing for licensing, labeling and so on, the act provides, in Section 11, that "Any person or persons, firm or corporation, who shall publicly advertise in newspapers, bulletins, bulletin boards, radio, or otherwise, falsely with reference to the composition of grades of sausage manufactured or sold by him or them shall be deemed guilty of a misdemeanor."

WAGES AND EMPLOYMENT INCREASE

Wages and employment are increasing throughout most of industry according to figures just released by the Bureau of Labor Statistics. Employment in June, based on data collected from approximately 18,000 establishments in 89 different industries, was shown to be 7% higher than in May, while payrolls rose during the same period by 10.8%. Payrolls in June, 1933, were 9.7% above June, 1932, while employment showed an increase of 9.2%. Much of the increase seems to have occurred in the industries manufacturing producers goods.

Increases in employment and payrolls in June, 1933, as against the previous month, for industries of especial interest to broadcasters are as follows:

	Percent increase over May, 1933	
Industry	*Employment*	*Payrolls*
General manufacturing	7.0	10.8
Foods and kindred products	4.0	3.9
Beverages	18.1	14.8
Textiles	10.1	7.6
Wearing apparel	1.4	2.8
Agricultural implements	8.6	17.9
Radios and phonographs	13.3	5.1
Automobiles	7.9	7.1
Druggists' preparations	3.0	4.7
Retail trade	1.7	1.8

The above figures are all the more encouraging since the normal trend at this season of the year is downward, the May to June decline in employment for the past ten years having averaged 1.4% and the payroll shrinkage 3%. It will be especially interesting to notice the changes brought about in employment and wage statistics which will occur in the next few months by reason of the codes adopted recently by many industries under the NIRA.

GOVERNMENT'S PRICE RISE DRIVE TAKING EFFECT

The Government's attempt to set in reverse the drastic price declines of 1931-1932 is beginning to take marked effect, it is revealed in the index of wholesale prices published by the Bureau of Labor Statistics. According to the Bureau's index which is based upon price quotations of 784 commodities, weighted according to their respective importance, prices during the week ending July 15 were 68.9% as high as in 1926. During the period June 15-July 15, prices of commodities rose 6.8%. Food prices increased 15.7%, textiles 10.4%, metals and metal products 2.2%, building materials 7.3%, and housefurnishing goods 1.6%. Chemicals and drugs were the only group to experience price declines, dropping 1.2% during the period in question.

RADIO EMPLOYMENT UP AGAIN

The June index number for employment in radio manufacturing plants was 92.1 compared with 81.3 for May and 63.9 for June of last year, taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. Payroll index number for the same industry for June was 65.5 compared with 62.3 for May and 54 for June of last year.

AMERICA LEADS IN INTERNATIONAL BROADCASTING

America led the world in the amount of international broadcasting programs received from other parts of the world during the months of April and May of the current year. Hungary and Germany each received a program, the former country from the Vatican and the latter transmitting to German listeners a Hitler festival held in Rome. In May the British Broadcasting Corporation broadcast speeches by statesmen and other prominent personages on the occasion of the Anglo-Indian telephone service. This was the total rebroadcasting of foreign programs by leading European countries during the two months in question.

During the same period listeners in the United States heard fifteen foreign programs, four from England, four from Germany, two each from Switzerland and Italy, and one each from France, Austria and Palestine.

FOREIGN RECEIVING SET STATISTICS

The following figures for receiving set registration in leading foreign countries have just been made public. Set registration given below is as of April, 1933:

	Number of receiving sets
Austria	481,000
Belgium	383,000
Germany	4.555,000
Great Britain	5,536,000
Hungary	322,000
Italy	329,000
Japan	1,420,000
Norway	132,000
Switzerland	256,000
Sweden	633,000

EUROPEAN CENSORSHIP OF POLITICAL BROADCASTING

Censorship of political and controversial broadcasting over government owned and operated radio broadcasting systems in Europe seems to be continuing without interruption. The supervisory authority for Swiss broadcasting issued in February of this year a number of provisions under which all controversial broadcasts, whether referring to political, economic or religious questions, will cease to be permissible.

Having observed that owners of receiving sets were abusing their rights by disseminating political communications broadcast by foreign stations whcih were considered unlawful, the Minister of Posts, Telegraphs and Telephones of Czechoslovakia has imposed drastic restrictions against the reception of foreign programs and their being made available to groups of listeners by the owners of receiving sets. This measure is aimed primarily at broadcasts by Russian stations.

EUROPE GOES HIGH POWER

Reports from European countries indicate a definite trend toward an increase in the number of super-power stations. German stations at Muhlacker, Langenberg and Munich are each to be raised to 100 kilowatts in power before the end of 1933. The German broadcasting administration has reserved the right, in addition, to augment to 100 kilowatts if necessary, the power of the transmitters at Berlin, Hamburg, Breslau, and Heilsberg.

Austria opened a new high-power transmitter at Bisamberg, near Vienna, on May 28. The station has a power rating of 100,000 watts. Hungary has in mind the bringing into service a new 20,000 watt transmitter, in addition to a 120 kilowatt station now in process of construction. The contemplated transmitter will eventually be raised to 60,000 watts in power. Turkey has expressed its intention of building a 150 kilowatts station, while Finland is also increasing the power of its stations.

GERMAN BROADCASTING PROGRAMS

The proportion of total hours devoted to various types of programs by the German broadcasting system in 1932:

Music	57.9%
Conferences	14.4%
Literature	5.0%
News	9.6%
Miscellaneus	9.5%
Time signals	3.6%
Total	100.0%

Conferences are largely dialogues presenting adult educational programs, though there is some entertainment included in the item. The proportion of time devoted to music is a very small fraction less than in the United States, while other types of programs seem to be somewhat less in variety of interests embodied in them.

SOVIET RUSSIA TAXES RECEIVING SETS

A decree of the Council of People's Commissaries has created a subscription fee for a wireless receiving set in the U. S. S. R. "With a view to strengthening the financial basis of broadcasting and ensuring its further development," says the decree, "the Council of People's Commissaries has decided to introduce from and after January 1, 1933, a subscription fee for the use of a receiving set."

Under the provisions of the decree a crystal set is taxed three roubles. Tube sets operated on alternating current pay 24 roubles a year; those employing direct current 18 roubles; those intended for public use 50 roubles; and those intended for collective use, 36 roubles.

The Commissary for Postal and Electric Communications collects the tax and receives 7% of the revenue derived from it for so doing.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

July 24, 1933

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to change from specified hours to unlimited time; **1370 kc.**, 50 watts.

WIBM—WIBM, Inc., Jackson, Mich.—Modification of license to change from specified hours to unlimited time.

July 28, 1933

KMLB—Liner's Broadcasting Station, Monroe, La.—Construction permit to change from **1200 kc.**, 100 watts, unlimited time, to **590 kc.**, 250 watts, specified hours.

APPLICATIONS GRANTED

First Zone

WINS—American Radio News Corp., New York City—Granted license covering move of transmitter from Astoria, N. Y., to Carlstadt, N. J.; **1180 kc.**, 500 watts, limited time.

WMIL—Arthur Faske, Brooklyn, N. Y.—Granted modification of construction permit to extend completion date to Oct. 1.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Granted modification of license to reduce specified hours from daily 9 a. m. to 1 p. m. and 3 to 7 p. m., EST, to 11 a. m. to 1 p. m. and 4 to 7 p. m. daily.

WJZ—National Broadcasting Co., Inc., New York City—Granted extension of special experimental authority to operate with 50 KW power for period of 6 months from Aug. 1.

Second Zone

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Granted extension of special authority which expires July 22, for an indefinite period, to operate without plate voltmeter pending repair.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 9:30 to 11:30 a. m., CST, July 26.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted special temporary authorization to operate simultaneously during daytime with WOWO, subject to such action as the Commission may take on licensee's pending application for renewal of license.

Third Zone

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Granted authority to remain silent until Sept. 1, 1933, pending rebuilding of studios destroyed by fire.

KGKB—East Texas Broadcasting Co., Tyler, Texas—Granted construction permit to make changes in equipment and move transmitter within building.

WODX—Mobile Broadcasting Corp., Springhill, Ala.—Granted authority to remain silent from July 20 or as soon thereafter as possible, until Sept. 10, in order to work on equipment.

Fourth Zone

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted 30-day extension of special authority from July 18 to operate transmitter at new location pending decision on applications filed.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted temporary authority to operate from 9 a. m. to 12 p. m., CST, July 22, 1933.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted modification of construction permit to change location of transmitter locally near Indianapolis, and granted license covering same; **1400 kc.**, 500 watts, specified hours. Also granted authority to install automatic frequency control.

KICK—Red Oak Radio Corp., Carter Lake, Iowa—Granted license covering removal of station from Red Oak to Carter Lake, Iowa; **1420 kc.**, 100 watts, unlimited time.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted license covering change in equipment and reduction in daytime power; **560 kc.**, 1 KW, unlimited time.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Granted renewal of special experimental authority to operate unlimited time experimentally on **970 kc.**, for period of 6 months from August 1.

WJJD—WJJD, Inc., Mooseheart, Ill.—Granted renewal of special authority to begin operation at 5:30 a. m., CST, on account of daylight savings time.

WOWO—The Main Auto Supply Co., Fort Wayne, Ind.—Granted special temporary authorization to operate simultaneously during daytime with WWVA, subject to such action as the

Commission may take on licensee's pending application for renewal of license.

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S. Dak. —Granted special temporary authorization to continue to operate daily from 6:30 p. m., CST, and Sunday nights beginning at 9:30 p. m., CST, with reduction of power to 1 KW, subject to such action as the Commission may take on licensee's pending application for renewal of license.

KMMJ—The M. M. Johnson Co., Clay Center, Nebr.—Granted special temporary authority to operate station from 5 to 6 a. m., CST, until this period is required by WSB, but no later than February 1, 1934, and on condition that licensee agrees to and will cease operation during said period at any time without a hearing, on 5 days' notice.

Fifth Zone

WFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—Granted modification of license to change frequency from **1230 kc.** to **600 kc.**

KXA—American Radio Telephone Co., Seattle, Wash.—Granted renewal of special experimental authority to operate from sundown to 10 p. m., 250 watts, for period of 6 months from August 1.

APPLICATIONS SET FOR HEARING

WSAI—The Crosley Radio Corp., Cincinnati, Obio—Suspended grant for construction permit for new equipment and increase in operating power from 500 watts night, 1 KW day to 1 KW night and 2½ KW day, and designated application for hearing because of protest of WSPD.

WJSV—Old Dominion Broadcasting Corp., Alexandria, Va.—Suspended grant made June 16, 1933, to operate until Nov. 1, 1933, because of protest of WHOM, Jersey City, N. J., and application for regular license was designated for hearing. Pending outcome of hearing station will operate under special temporary authority under identical conditions set forth in license issued June 16.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Designate for hearing application for renewal of license because of applications filed for the facilities of this station.

NEW—Donald E. Bean and Wendell S. Clark, d/b as the Connecticut Broadcasting Co., Danbury, Conn.—Construction permit for new station to operate on **1310 kc.,** 100 watts, day.

NEW—The Lebanon Broadcasting Corp., Lebanon, Pa.—Construction permit for new station to operate on **1500 kc.,** 50 watts, day.

NEW—Clyde D. Smith and R. W. Lautzenheiser, d/b as Vegas Broadcasting Co., Las Vegas, Nev.—Construction permit for new station to operate on **1420 kc.,** 100 watts, daytime (facilities of KGIX).

KGIX—Clyde D. Smith and R. W. Lautzenheiser, d/b as Vegas Broadcasting Co., Las Vegas, Nev.—Involuntary assignment of license from J. M. Heatong to Clyde D. Smith and R. W. Lautzenheiser, d/b as Vegas Broadcasting Co.

WGNY—Peter Goelet, Chester Township, New York—Modification of license to change hours of operation from specified to sharing equally with WJBI, WFAS, and WGBB.

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power from 500 watts to 1 KW.

WNBH—Irving Vermilya, tr. as New Bedford Broadcasting Co., New Bedford, Mass.—Modification of license to change frequency from **1310 kc.** to **1200 kc.**

WTAR—WTAR Radio Corp., Norfolk, Va.—Modification of license to increase operating power from 500 watts to 1 KW (facilities of WPHR).

WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of license to increase hours of operation from daytime only to unlimited, using 250 watts night, 1 KW daytime.

WBHS—Radio Station WBHS. Inc., Huntsville, Ala.—Modification of license to increase hours of operation from sharing time with WFBC to unlimited hours.

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Modification of license to increase hours of operation from specified to unlimited.

KGDM—E. F. Peffer, Stockton, Calif.—Modification of license to increase hours of operation from daytime only to daytime and from 12 midnight to 6 a. m. daily (facilities of WPG and WLWL).

APPLICATIONS RECEIVED

First Zone

NEW—Northern Broadcasting Co., Inc., Laconia, N. H.—Construction permit for new station, exact location to be determined by tests, to use **1310 kc.,** 100 watts, unlimited time. Requests facilities of WKAV.

WMCA—Knickerbocker Broadcasting Co., Inc., New York., N. Y.—Modification of license to change hours of operation from sharing with WPCH to unlimited time (facilities of WPCH). To consolidate WMCA and WPCH, and delete WPCH.

Second Zone

NEW—Joseph S. Crawford and Leigh E. Ore, Erie, Pa.—Construction permit for new station to use **1420 kc.,** 100 watts, unlimited time.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Authority to determine operating power by direct antenna measurement.

Third Zone

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Modification of construction permit granted 5-31-33 to change transmitter location to Amicable Life Bldg., Waco, Tex., and extend date of commencement.

WKEU—Allen Wright Marshall, Jr., Allen Wright Marshall, Sr., and Guy Aaron Malcom, La Grange, Ga.—License to cover construction permit granted 1-20-33 for new station using **1500 kc.,** 100 watts, specified hours.

Fourth Zone

KGDY—Voice of South Dakota, Huron, S. Dak.—Modification of construction permit granted 2-21-33 to extend completion date to 11-21-33.

WSBC—WSBC, Inc., Chicago, Ill.—Construction permit to change transmitter and studio to "exact location to be determined," Hammond, Ind., change frequency, power, and hours from **1210 kc.,** 100 watts, specified hours, to **1360 kc.,** 1 KW night, 1¼ KW day, share with WGES. Requests facilities vacated by WJKS, Gary, Ind.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Special experimental authorization to use unlimited time on **970 kc.** to 2-1-34. Renewal of special experimental authorization which expires 8-1-33.

Fifth Zone

KGIW—Leonard E. Wilson, Trinidad, Colo.—Construction permit to change transmitter and studio location to Alamosa, Colo., and make changes in equipment.

KXA—American Radio Telephone Co., Seattle, Wash.—Special experimental authorization to use 250 watts experimentally sundown to 10:00 p. m. (Renewal of special experimental authority which expires 8-1-33.)

APPLICATIONS RETURNED

NEW—John Howard Henninger, Reynoldsville, Pa.—Construction permit for new station to use **1420 kc.,** 50 watts, unlimited time. (Rule 151 and proposed transmitter location unsatisfactory.)

NEW—Dothan Broadcasting Co., Inc., Dothan, Ala.—Construction permit for new station to use **1120 kc.,** 250 watts, daytime. (Rule 6, insufficient information on equipment and proposed transmitter location.)

WGCM—Great Southern Land Co. (Grace Jones Stewart), Gulfport, Miss.—Construction permit to increase power from 100 watts to 100 watts night, 250 watts day, and increase specified hours. (Rule 6; out of order until license assignment granted.)

NEW—Church of Christ, T. C. White, Business Manager and Operator, Stamford, Tex.—Construction permit for new station to use **1200** or **1210 kc.,** 100 watts, daytime. (Rules 5 and 6, insufficient information on proposed transmitter location.)

KFPL—C. C. Baxter, Dublin, Tex.—Construction permit to make changes in equipment and increase daytime power to 250 watts. (Rule 6 and Rule 43.)

NEW—Geo. W. Schleicher, San Francisco, Calif.—Construction permit for new station to use **930 kc.,** 1 KW, unlimited time. (Rule 6; all sections not answered.)

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ANTENNAS

Increasing agitation for power increases for regional and local stations, and for revision of the Federal Radio Commission quota system, has brought attention to the subject of antenna systems used by broadcasting stations.

While there is much information available, a concise compilation of data pertinent to broadcasting uses has not been available previous to the preparation of a report of a subcommittee (consisting of J. C. McNary, NAB chief engineer, and T. A. M. Craven, Washington consulting engineer) to the Committee Preparing for the North American Conference. Inasmuch as this report is comprehensive in its outline of the effects of antenna configuration, power, and operating frequency, its publication is considered timely.

The report follows:

ASSUMPTIONS

For the purpose of calculations and in order more easily to disclose trends, the following are used as a basis:

(a) Conductivity over the earth's terrain is assumed to be 10^{-13} units as an average. This assumption closely approximates the average to be found in the United States and Europe.

(b) Antenna loss resistance is taken as 10 ohms. This represents a fair average for practical installations of antennas at broadcasting stations.

(c) The height of the Heaviside layer is assumed to have an average of 100 miles with a reflection coefficient of unity. This is considered a close approximation of average conditions encountered in this country during the winter months.

(d) The propagation curves used are those giving distances for 1 KW radiated calculated by the Dellinger Committee for various frequencies. These curves are generally accepted as representing approximate conditions in practice.

(e) Calculations are made for true vertical radiators from .1 to .6 wave length in height. These have representative voltage patterns which have been corroborated in practice and therefore can be used as a basis of comparison for any other type of antenna.

(f) Most of the calculations were confined to heights of antenna less than 1,000 feet, since this maximum height of 1,000 feet is considered the limit of practical mechanical design for antenna structures within reasonably economical costs.

(g) The radiation resistance and voltage distribution formulas of Ballantine are used, since these are accepted as showing a close approximation to actual facts.

(h) Fading is considered objectionable when the ratio between the sky and ground waves exceeds 2. This permits a variation of field intensity at a receiver of 3 to 1.

(i) The attenuation for sky wave radiations is assumed to follow the inverse distance law. This permits a reasonable degree of accuracy in the calculations.

GENERAL EFFECT OF ANTENNA DESIGN

Antenna performance is an important factor in allocation engineering, both from the standpoint of distribution of energy in the vertical plane as well as field intensity in the horizontal plane. The distribution of radiated energy in the vertical plane is an important factor in fading, as well as in useful efficiency. Figure 1 shows the relation between antenna height and frequency, antenna efficiency, radiation efficiency, and the field intensity at 1 mile for various vertical radiators having a 10 ohm loss resistance with 1 KW input power.

An illustration of how this figure may be utilized is as follows: A 500-foot antenna at 1000 kc. is a half-wave radiator, having a radiation efficiency of approximately 99 per cent, and an antenna efficiency of 80 per cent with a field intensity of 235 millivolts at 1 mile. Lowering this height to 250 feet would make the antenna a quarter-wave radiator having a radiation efficiency of 78 per cent, an antenna efficiency of 42 per cent, and a field intensity of 170 millivolts at 1 mile. Decreasing the height to 150 feet would mean a radiation efficiency of 50 per cent, and an antenna efficiency of 22½ per cent, with a field intensity of 135 millivolts at 1 mile. In order to secure the same field intensity at 1 mile from a 150-foot antenna as could be obtained with 1 KW input power on a 500-foot antenna, it is necessary to increase the 1 KW power of the 150-foot antenna to 3 KW.

VOLTAGE PATTERN IN THE VERTICAL PLANE

The actual height of a true vertical radiator also controls the voltage distribution in the vertical plane. In Figure 2 is given various voltage patterns in the vertical plane for different antennas of designated percentages of the wave length in height.

As a general approximation, antennas having a height of .2 wave length or less have a semicircular voltage distribution in the vertical plane.

FADING

Fading is caused by the interaction between the radiations transmitted to the Heaviside layer, where they are reflected back to the earth and then intermingle with the radiations in the horizontal plane.

Fading may also occur by the intermingling of radiations in two vertical angles in the event that they are reflected from different heights of the Heaviside layer.

Figure 3 shows the distances at which objectionable fading commences for various types of antennas and frequencies. In this the fading limit indicated is that of the fading wall nearest the transmitter and is confined to the intermingling of the ground and sky waves when the conductivity of the terrain is 10^{-13} units.

Fading is independent of power input and depends solely upon the design of antenna, upon conditions in the Heaviside layer and upon ground conductivity. Thus, if any one of these factors is changed, the fading distance will likewise be affected.

SERVICE RANGES

The distance to which a specified field intensity can be transmitted over the ground depends primarily upon

(1) Power input.

(2) Design of antenna.

(3) Conductivity of terrain.

(4) Loss resistance in antenna.

The distance to which a specified field intensity can be transmitted without objectionable fading is dependent not only on the foregoing factors but also upon conditions in the Heaviside layer.

Figures 4 (a), (b), etc., indicate the distances at which 10,000, 2,000, 1 000 and 500 microvolts, respectively, will be transmitted with 1 KW input with various heights of antennas having 10 ohms loss resistance. These also show approximately the expected service radii for each frequency from 150 to 1700 kc. Figures 4 (a), etc., are intended solely to indicate general trends.

It should be noted that for a field intensity of 500 microvolts, which naturally is transmitted over the longer distances, the "carrying capacity" of low frequencies over the earth outbalances the loss in initial field intensity caused by inefficient antennas; however, as the distance becomes less and the field intensity thus greater, this advantage of the low frequencies becomes less pronounced.

These figures illustrate very clearly the advantage of low frequencies for long distance service, as well as the necessity for having good antenna design to obtain these advantages for low frequency transmission at shorter distances.

THE EFFECT OF POWER

The effect of increasing power is shown in Figures 5 (a), (b) and (c), which show the distances to which 500 microvolts will be transmitted with 25 KW input in various antennas and frequencies. In these figures there is also clearly illustrated the effect of antenna design, the relative advantages of low frequencies over high frequencies with respect to attenuation, and the effect of fading. It should be noted that even with greater heights of antennas on low frequencies, the value of increasing power, while highly advantageous in the day, may be nullified to a large extent at night by fading, except for the increased signal strength up to the fading wall.

An interesting calculation illustrating the effect of power, antenna design and fading on the probable rural service radius of a broadcasting station under specified conditions and on various frequencies is indicated in Figure 6.

An illustration of the relation of conductivity, frequency, power, and antenna design to secure equal suburban coverage from broadcasting stations is indicated in Figure 7. It will be noted that the carrying capacity of the lower frequencies is of paramount importance in making these lower frequencies of greater value than the higher frequencies. The optimum frequency is about 550 kc.

In Figure 8 is illustrated the effect of antenna efficiency at the shorter distances where relatively high field intensities are encountered. It is here that the higher frequencies, properly used, are of some value as compared to the lower frequencies.

Brief Summary of Trends

Field Intensity	500 microvolts							
Antenna Height	100 ft.		200 ft.		500 ft. #		1000 ft. #	
Antenna Input Power	1 KW	25 KW	1 KW	25 KW	1 KW	25 KW	1 KW	25 KW
	Radii in Miles							
	Day							
Frequency								
150 kc	60	200	75	230	125	325	170	370
550 kc	70	150	85	180	110	210	120	245
1000 kc	46	87	53	103	62	120	65	127
1700 kc	28	55	32	65	36	68	36	68
	Night							
150 kc	Day	140	Day	140	Day	140	140	140
550 kc	Day	85	Day	90	102	102	Day	190
1000 kc	Day	55	Day	55	Day	110	Day	Day
1700 kc	Day	35	Day	40	Day	Day	Day	Day

Field Intensity	2000 microvolts for 1 KW 2500 microvolts for 25 KW							
Antenna Height	100 ft.		200 ft.		500 ft. #		1000 ft. #	
Antenna Input Power	1 KW	25 KW	1 KW	25 KW	1 KW	25 KW	1 KW	25 KW
	Radii in Miles							
	Day							
Frequency								
150 kc	17.5	60.0	24.0	75	40	125	58	170
550 kc	25.0	70.0	37.0	85	48	110	63	120
1000 kc	22.0	46.0	27.0	53	34	62	37	65
1700 kc	15.0	28.0	18.0	32	20	36	20	36
	Night							
150 kc	Day	Day	Day	Day	Day	Day	Day	140
550 kc	Day	Day	Day	Day	Day	102	Day	Day
1000 kc	Day	Day	Day	Day	Day	Day	Day	Day
1700 kc	Day	Day	Day	Day	Day	Day	Day	Day

Optimum height less than 500 and 1000 ft. respectively—

150 kc.	1000 ft.	1000 kc.	500 to 600 ft.
550 kc.	1000 ft.	1700 kc.	300 to 350 ft.

(a) At 150 kc., increasing the power from 1 KW to 25 KW with a 100-foot antenna is equivalent to an increase of 3.3 times in radius for the 500-microvolt signal. Increasing the height 10 times increases the radius of a 500-microvolt signal approximately 2.85 times.

(b) At 1700 kc., with 100-foot height, increasing the power from 1 KW to 25 KW increases the radius of the 500-microvolt signal 1.96 times. Increasing the height 3.5 times is equivalent to increasing this radius 1.28 times.

(c) At 150 kc., with 100-foot height, increasing power from 1 KW to 25 KW will increase the 2-millivolt radius by approximately 3.5 times, while multiplying the height by 10 will increase the radius of the 2-millivolt line approximately 3 times.

(d) At 1700 kc., with 100-foot height, increasing power from 1 KW to 25 KW, with a 100-foot antenna, is equivalent to increasing the 2-millivolt radius by approximately 1.85 times. Increasing the height 3.3 times is equivalent to increasing the radius of the 2-millivolt line approximately 1.35 times.

(e) From the foregoing it can be seen that input power is slightly more important than antenna height in so far as day radius is concerned. However, it can be seen that the antenna factor is of primary importance. At night the antenna factor, because of its control of fading, is of greater importance than power.

(f) It is only at the relatively shorter distances with the higher field intensities where the difference in the effect of conductivity is not so apparent that high frequencies with proper antennas are of relatively greater value as compared to the lower frequencies on small antennas.

(g) Noise level should be an important influence in the choice of frequencies for specific services. A reference to Figure 7 of the report of the Committee on Radio Propagation Data, submitted March 28, 1933, illustrates the noise intensity to be expected on various frequencies. Applying this data to the foregoing table, we find that on 1700 kc., 25 KW will transmit a signal intensity of 500 microvolts to a distance of approximately 68 miles. At this distance the signal to noise ratio will be 50 in the daytime and 12.5 at night. 1 KW input on an antenna 100 feet high at 150 kc. will deliver 500 microvolts at 60 miles, at which distance there will be a signal to noise ratio of 16.5 in the day and 1.22 in the night. However, increasing this power from 1 KW to 25 KW, the signal to noise ratio will be increased to over 50 in the day and to 6.1 at night. Thus it is seen that for daytime the relatively greater value of low frequencies is not seriously impaired in the northern climates.

(h) However, at night 25 KW input on a 300-foot antenna at 1700 kc. will transmit a signal intensity of 500 microvolts, without fading, to a distance of approximately 68 miles, where there will be a signal to noise ratio of approximately 12.5. To approximately equal this signal to noise ratio on 150 kc. at this distance, it will be necessary to transmit with 25 KW input power on a 1,000-foot antenna. Thus the greater value of low frequencies is impaired by the noise level factor at night, particularly in tropical regions, and as a corollary the higher frequencies assume greater relative value.

VERTICAL ANTENNA CHARACTERISTICS.
10-OHM LOSS - 1 KW INPUT POWER

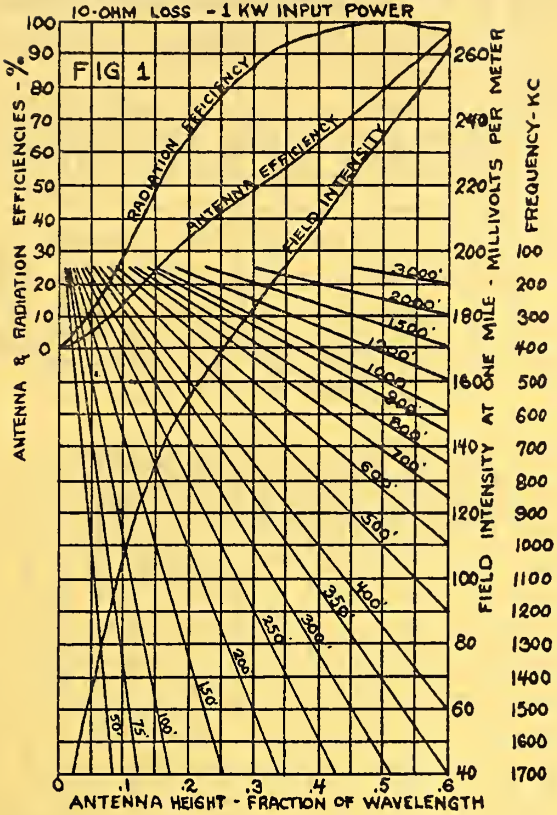
FIG 1

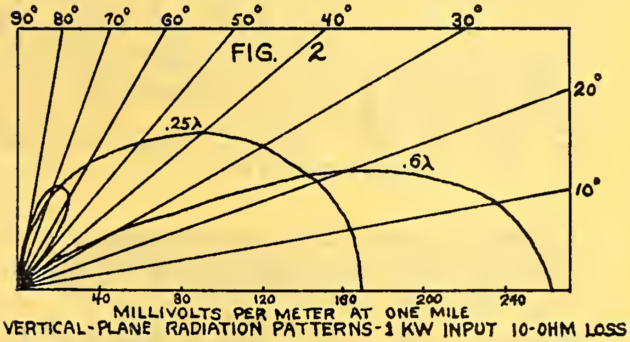
FIG. 2

VERTICAL-PLANE RADIATION PATTERNS-1 KW INPUT 10-OHM LOSS

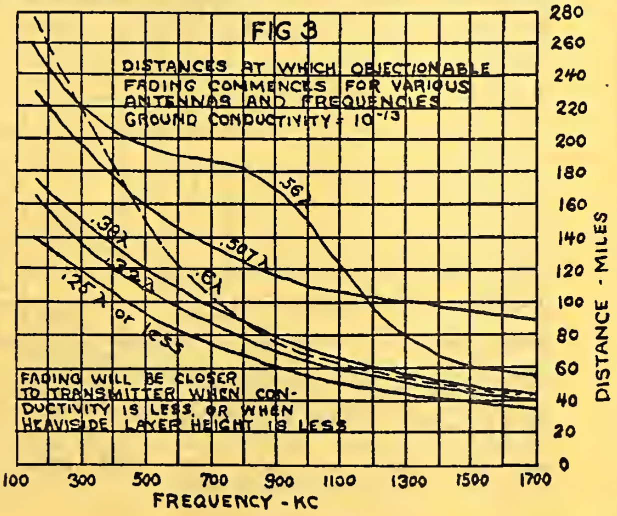
FIG 3

DISTANCES AT WHICH OBJECTIONABLE FADING COMMENCES FOR VARIOUS ANTENNAS AND FREQUENCIES
GROUND CONDUCTIVITY = 10^{-13}

FADING WILL BE CLOSER TO TRANSMITTER WHEN CONDUCTIVITY IS LESS, OR WHEN HEAVISIDE LAYER HEIGHT IS LESS

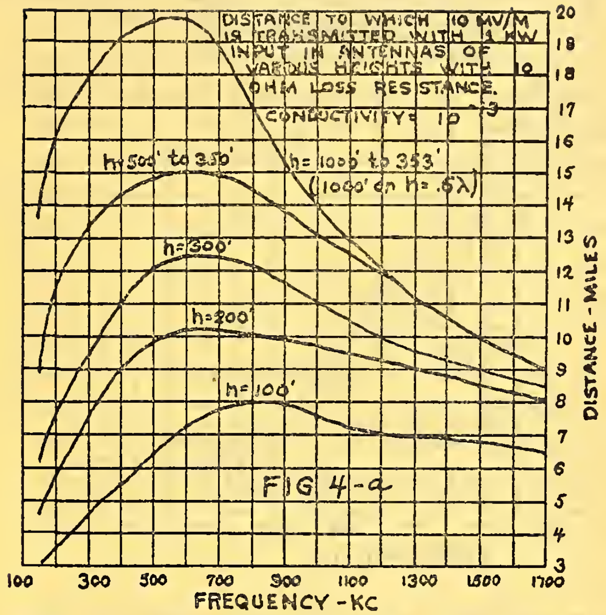
FIG 4-a

DISTANCE TO WHICH 10 MV/M IS TRANSMITTED WITH 1 KW INPUT IN ANTENNAS OF VARIOUS HEIGHTS WITH 10 OHM LOSS RESISTANCE.
CONDUCTIVITY = 10^{-13}

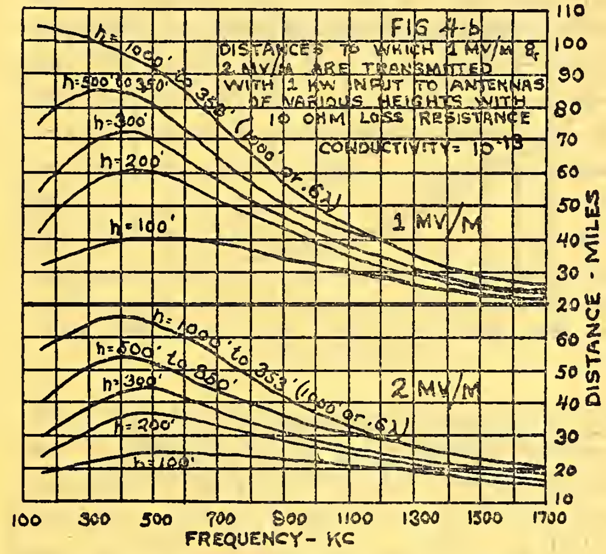
FIG 4-b

DISTANCES TO WHICH 1 MV/M & 2 MV/M ARE TRANSMITTED WITH 1 KW INPUT TO ANTENNAS OF VARIOUS HEIGHTS WITH 10 OHM LOSS RESISTANCE
CONDUCTIVITY = 10^{-13}

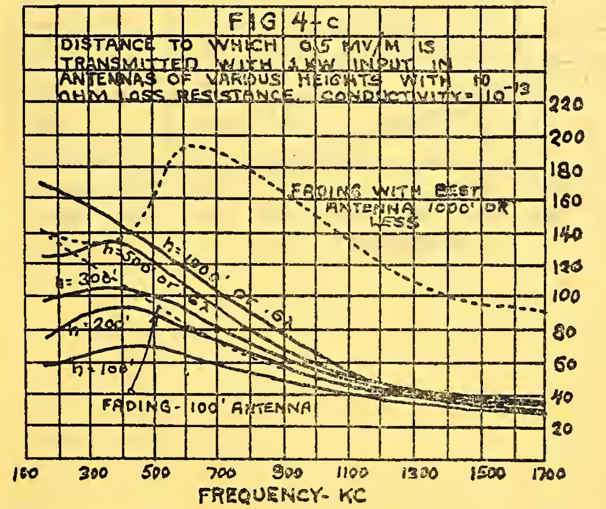
FIG 4-c

DISTANCE TO WHICH 0.5 MV/M IS TRANSMITTED WITH 1 KW INPUT IN ANTENNAS OF VARIOUS HEIGHTS WITH 10 OHM LOSS RESISTANCE. CONDUCTIVITY = 10^{-13}

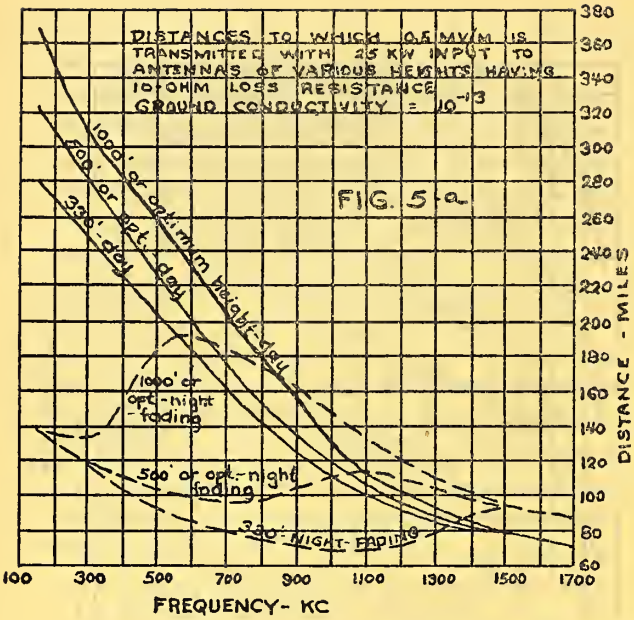
FIG. 5-a

DISTANCES TO WHICH 0.5 MV/M IS TRANSMITTED WITH 25 KW INPUT TO ANTENNAS OF VARIOUS HEIGHTS HAVING 10-OHM LOSS RESISTANCE GROUND CONDUCTIVITY = 10^{-13}

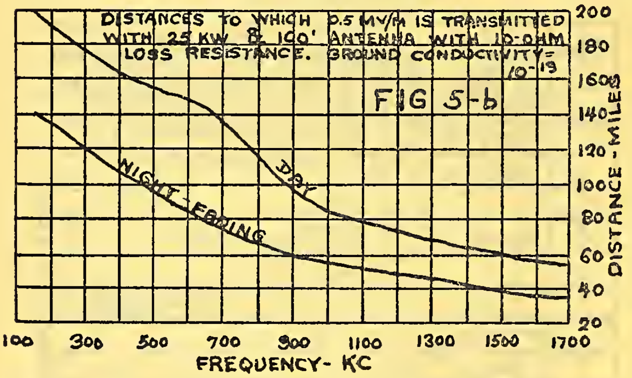
FIG 5-b

DISTANCES TO WHICH 0.5 MV/M IS TRANSMITTED WITH 25 KW & 100' ANTENNA WITH 10-OHM LOSS RESISTANCE. GROUND CONDUCTIVITY= 10^{-13}

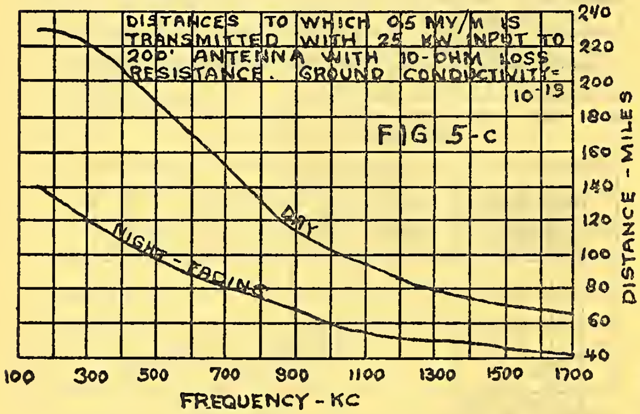
FIG 5-c

DISTANCES TO WHICH 0.5 MV/M IS TRANSMITTED WITH 25 KW INPUT TO 200' ANTENNA WITH 10-OHM LOSS RESISTANCE. GROUND CONDUCTIVITY= 10^{-13}

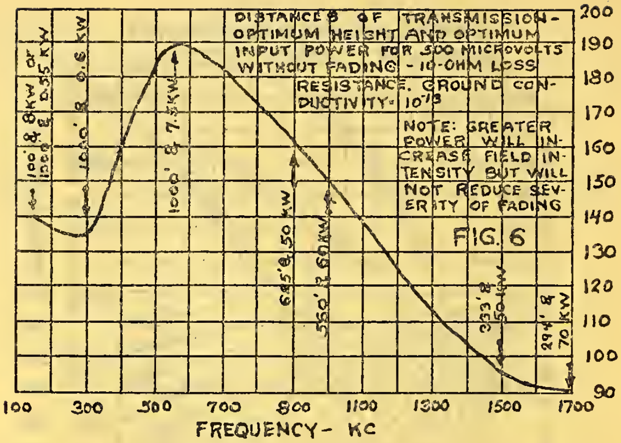
FIG. 6

DISTANCES OF TRANSMISSION-OPTIMUM HEIGHT AND OPTIMUM INPUT POWER FOR 500 MICROVOLTS WITHOUT FADING - 10-OHM LOSS RESISTANCE. GROUND CONDUCTIVITY= 10^{-13}

NOTE: GREATER POWER WILL INCREASE FIELD INTENSITY BUT WILL NOT REDUCE SEVERITY OF FADING

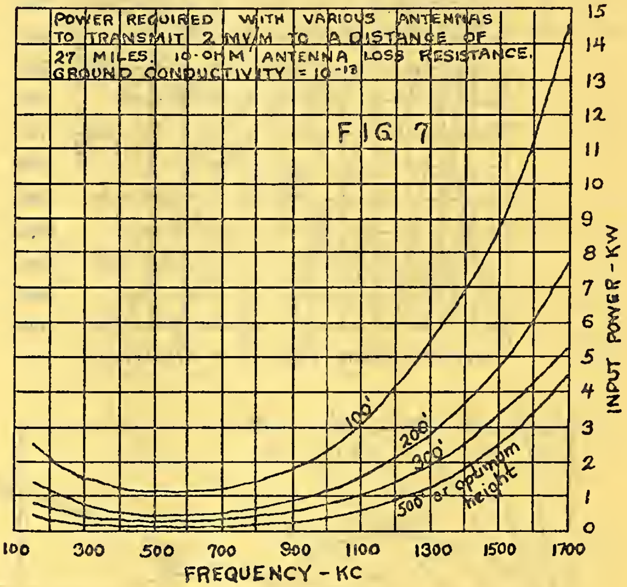
FIG 7

POWER REQUIRED WITH VARIOUS ANTENNAS TO TRANSMIT 2 MV/M TO A DISTANCE OF 27 MILES. 10-OHM ANTENNA LOSS RESISTANCE. GROUND CONDUCTIVITY = 10^{-13}

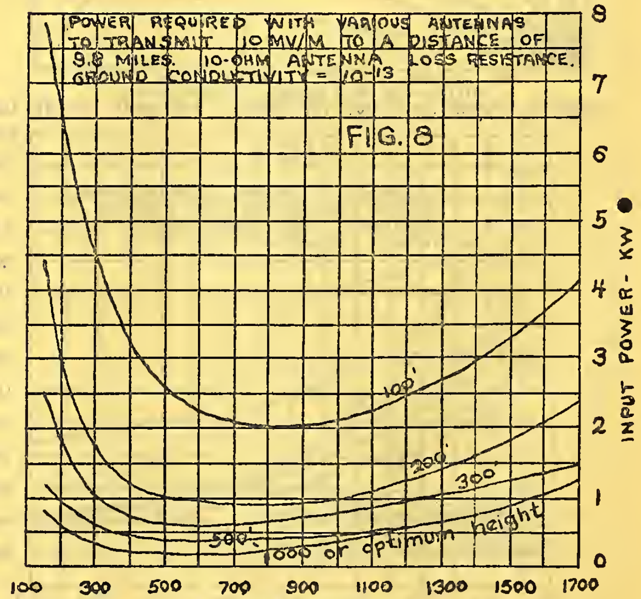
FIG. 8

POWER REQUIRED WITH VARIOUS ANTENNAS TO TRANSMIT 10 MV/M TO A DISTANCE OF 9.8 MILES. 10-OHM ANTENNA LOSS RESISTANCE. GROUND CONDUCTIVITY = 10^{-13}

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★
Vol. 1 - - No. 23
JULY 29, 1933

Copyright, 1933, The National Association of Broadcasters

STATIONS PLEDGE NRA COOPERATION

The Government's campaign to arouse popular support for President Roosevelt's undertaking to create jobs for the jobless and end unemployment for as many as possible in the quickest possible time will receive 100 per cent cooperation from broadcasting stations, large and small, throughout the country.

More than 100 stations returned by return mail, pledges of cooperation sent out by the NAB to all stations. Early returns, however, indicate that stations will get behind the President with their whole-hearted support.

That the National Recovery Administration is counting heavily upon radio in making the President's program successful is disclosed in the statement issued from General Johnson's office on July 27 in which it was stated that "radio is going to play a large role in the campaign."

The confidence which the Administration is placing in radio must not and will not be misplaced. Stations, organized and unorganized, will act as a whole to make this most remarkable recovery campaign a success. From the major networks to the smallest part-time station the Administration can expect the closest cooperation in its campaign.

Proof of radio's willingness to shoulder its part of the responsibility in this emergency can be gathered from the speed with which it has responded to the Government's call. Alfred J. McCosker, president of the NAB; Frank M. Russell, vice president of the NBC; Harry C. Butcher, Washington director of CBS; Martin Codel, publisher of BROADCASTING; and Philip G. Loucks, managing director of the NAB, were appointed by General Johnson as an advisory committee on radio broadcasts. Notification of the appointments were received last Monday and at two o'clock of the same day the entire committee was in session, conferring with W. B. Dolph, in charge of broadcasting activities of the NRA. Methods of cooperation were developed and a letter detailing these methods was mailed to all stations.

Through the NAB Headquarters this committee will be in daily touch with the NRA and every possible cooperation will be extended.

Just as soon as stations in the west have had an opportunity to send in their pledges of cooperation the NAB will prepare an HONOR ROLL of stations, a copy of which will be filed with the NRA.

Cooperation is the key word of the campaign. There is no place for the business individualist in this campaign. Stations must and will cooperate with each other and with the Government in making the campaign successful. Whenever and wherever the public interest is at stake, radio stations can be counted upon to respond. The American Plan of broadcasting under actual test will demonstrate its superiority.

No "slackers" will be found among the broadcasters.

CRISIS IN N. A. CONFERENCE

The North American Radio Conference has made little progress toward arriving at an agreement with respect to the allocation of frequencies for North American countries, according to advices from Mexico City where the conference has been in progress since July 10.

While Canada has reiterated its willingness to have broadcast stations assigned to the frequencies 510, 520 and 530 kc, our delegation has indicated no desire to join with the Canadians in this respect. Other countries at the conference likewise have indicated no interest in channels outside the broadcast band.

The total demand for facilities by Mexico and Central American powers, while not given in reports from the conference, appears to be in excess of the supply, and certainly in excess of the amount, of facilities this country's delegation is willing to recognize as necessary to accommodate needs in these countries.

Should the conference fail to arrive at a satisfactory agreement, it is unknown whether or not an attempt will be made at the last minute to adjust matters between Mexico and the United States on the basis of existing conditions and thereby minimize interference between stations of the two countries.

Most of the time during the past week has been spent in subcommittee meetings with little, if anything of consequence accomplished.

It is expected that an effort to find a basis for agreement will be made at plenary sessions which are being scheduled from day to day although little hope is held out from some usually well informed quarters. It is believed, therefore, that the conference will reach a crisis within the next few days.

All that could be learned as to formal proposals was that the United States has adhered strictly to the provisions of the Madrid Convention in its presentations. No formal proposals from any country were made public, as far as could be learned.

The sessions of subcommittees as well as plenary sessions are closed to all except Government representatives.

According to James W. Baldwin, who is representing the NAB at Mexico City, there is prospect that the conference may end within the next two weeks.

BROADCASTERS AND NRA CODE

Over the signatures of President Alfred J. McCosker and Managing Director Philip G. Loucks, NAB members were advised on July 25 as follows:

"The President's Reemployment Agreement has the complete endorsement of the National Association of Broadcasters. In view of the fact that patriotic and humanitarian considerations are the basic factors, we believe each member should arrive at individual determination concerning signing of the agreement."

Broadcasters throughout the country have received copies of the President's agreement and already many stations have signified their intention of executing them.

The blanket code is broad in its application and some of its provisions will require construction as to their application to broadcasting which is essentially a service enterprise rather than a manufacturing or processing business. It is recognized that in some cases, because of peculiar circumstances, great and unavoidable hardships will result from the execution of the code. For this reason the President included section 14 of the agreement which reads as follows:

"It is agreed that any person who wishes to do his part in the President's reemployment drive by signing this agreement, but who asserts that some particular provision hereof, because of peculiar circumstances, will create great and unavoidable hardship, may obtain the benefits hereof by signing this agreement and putting it into effect and then, in a petition approved by a representative trade association of his industry, or other representative organization designated by the NRA, may apply for a stay of such provision pending a summary investigation by the NRA, if he agrees in such application to abide by the decision of such investigation."

President McCosker on July 26 appointed a committee consisting of himself as chairman, G. A. Richards, Detroit, Mich.; Frank M. Russell, Washington, D. C.; Harry C. Butcher, Washington, D. C.; and Philip G. Loucks, NAB Managing Director, to consider the whole question of the application of the agreement to broadcasting and to decide whether or not a broadcasters code shall be submitted and if so, what such code shall contain. In naming the committee, President McCosker took into consideration the proximity of the members to Washington and reserved the right to increase the committee's membership and its scope of activity. For the present the committee will consider only hours of labor and wages.

In an effort to develop actual facts, a questionnaire will be mailed to all stations within the next several days and stations are strongly urged to give immediate attention to the request for information. When this information is received and assembled the committee will meet and consider the whole question of the status of broadcasting under the Recovery Act and the necessity for a code.

The committee also will give consideration to the possibility of overlapping of authority between the Federal Radio Commission and the NRA. Obviously, it is essential that this question be threshed out thoroly and to the satisfaction of all before a final decision is reached.

INTERPRETING THE BLANKET CODE

Many questions involving the application of the President's blanket code to broadcasting have already arisen and numerous others are arising daily.

General Johnson announced this week that General Thomas H. Hammond had been appointed as chairman of a committee which is now setting up machinery for interpreting and clarifying the President's code.

All questions must be submitted in writing and written decisions will be given. Already several hundred requests from all industries have been received.

In an effort to expedite decisions on questions relating to broadcasting station operation and to avoid, as nearly as possible, duplication of work for General Hammond's committee, and at the same time render an important service to members, the NAB will endeavor to secure answers to questions sent to NAB headquarters. These questions should be set forth as briefly and clearly as possible.

PROGRESS IN COPYRIGHT CONTROVERSY

Increased activity by the Department of Justice and the Federal Trade Commission in the Government's investigation of the operations of the American Society of Composers, Authors and Publishers, resulted in an important conference at NAB Headquarters this week.

Hon. Newton D. Baker, general counsel of the NAB copyright activities, came from Cleveland with his partner, Joseph C. Hostetler, to meet with A. J. McCosker, President of NAB, Isaac D. Levy, Chairman of the Finance Committee, Philip G. Loucks, Managing Director, and Oswald F. Schuette, director of copyright activities.

The conference discussed reports of the progress of the Government's inquiry and the Association's cooperation in aiding the Government in protecting the broadcasters against extortions under the pretense of an alleged copyright monopoly.

EMPLOYMENT DRIVE ORGANIZATION

The National Recovery Administration is expecting cooperation from every broadcasting station in the United States. This was set forth in a statement issued from General Johnson's office on July 27 in which details to be followed in the President's reemployment drive were made public.

As an aid to radio stations in developing their local methods of cooperation, the statement is reproduced in full text:

"The campaign as outlined contemplates getting the story of the President's plan home to every person in the United States, encouraging employers to adopt the recovery program, enlisting support from buyers for those business concerns which are cooperating with the President, and also coupling an employment survey with the educational work.

"No definite dates for opening and closing the campaign have been set, but in all probability the work will occupy about five or six weeks. Organization of state, regional and local committees probably will be completed within a week or ten days. Many of the 13,000 organizations to which General Hugh S. Johnson has directed telegraphic appeals for help have responded that they will be ready to start their drives as soon as the organization plans which were mailed tonight are received. Approximately three weeks will be devoted to general educational work by committees when they are prepared to function. A week of intensive campaigning, which will include house to house canvassing, will close the campaign.

"Local organizations will be military in character. The Governor of each state will appoint a state chairman and a state chairman for women. The remaining members of the state committees will be selected regionally by the chairmen of committees representing the chief cities of the various states. The state commissioner of labor should be named on each state committee. The actual appointment of state committee members will be made by General Johnson on recommendation of the state chairman. The official organization plan memorandum says the state committee should not be confused with the STATE RECOVERY BOARDS AND STATE RECOVERY COUNCILS. They are not a part of the temporary drive organization.

"Local workers will be under the jurisdiction of executive committees, which will be created by the 13,000 organizations to which General Johnson has sent telegrams. They will include representatives of prominent local groups, such as Rotary and Kiwanis clubs, labor groups, women's clubs, and welfare organizations.

"The executive committees in each city will elect a general to have charge of the city campaign, and a lieutenant-general, a woman. The general will name three colonels, each colonel to have charge of a specific phase of the campaign. The first colonel will direct the 'man power' or organization department, with 7 or more majors, depending on the size of the territory, and 7 or more captains, each captain with a company of 8 or more men.

"The 'man power' department will be charged with responsibility of a block to block canvass during the closing week of the drive—the date to be announced later—checking up in every block on the compliance with the President's Emergency Reemployment Agreement; making a survey of the unemployed, codifying the unemployed as to the adaptability by experience to trades and industries and acting as liaison in the assimilation of the unemployed in expanding industry. The 'man power' group will also check up on the proper use of insignia by dealers and consumers.

"A second colonel in each city will direct publicity and a third will have charge of speakers.

"The plan is a modification of that employed in Richmond, Va., and which is already in operation under the direction of Mason Manghum, executive Vice-President of the Richmond Chamber of Commerce. One of the first campaign committees organized, the Richmond group, includes 400 men enlisted in the 'man power' or canvassing department.

"Satisfaction was expressed at Recovery Headquarters that the message of the Administration will reach down to the grass roots without difficulty. Not only have the telegrams received from organizations by General Johnson been highly encouraging and the volunteer offers of aid from individuals numerous, but the general campaign machinery was said to be in splendid running order.

"Initially, more than seventy million pieces of printed matter, all featuring the campaign insignia of the blue eagle, are either on their way or soon will be on the way to local committees. This material includes window cards, half-sheet posters and stickers. The window cards and posters will be given to business concerns, which accept the President's Recovery Plan, and the stickers, which may be used either on windows of houses or windshields, will be awarded to consumers who patronize business concerns having the emblem.

"Evidently radio is going to play a large role in the campaign. The invitation to participate, sent to 610 radio stations, has resulted in a flood of acceptances. It now is anticipated that every radio station in the United States will accept. Outstanding national speakers will talk directly or be interviewed over the air. A new departure will be the reading of "fillers" of from 100 to 300 words on the campaign by announcers. In every station several times daily there is need for supplemental material of from a few seconds to a minute and this usually is supplied by a piano player. Now stations are being asked to fill in this time with re-employment announcements and they are quite willing to comply. In all probability there will be a 'workers' radio hour' within the next week at which some nationally famous speaker will address the army—from buck privates to generals—over the air. At this time it is planned to have workers' mass meetings throughout the country.

"Advertisers as well as radio station managements are coming to the support of the programs. Many already have expressed willingness to relinquish part of their time in the interest of the drive. Special skits which will be helpful to the campaign are being prepared for presentation by widely known radio artists.

"Cooperation of the press will be enlisted largely by local committees, operating under a general plan which will go forward to them within a week. A press book containing forty advertisements to be underwritten locally, prepared interviews and news suggestions which will be usable in any community, will be supplied to all local committees. Mats for newspaper advertisements will be available at thirty-four distributing stations throughout the country and local committees can give all information about the mats by referring to their press books. Mats for cartoons boosting the campaign also will be supplied committees upon application.

"The administration tonight again emphasized the fact that no government money is being spent for advertising space. Mats are being supplied by the administration, but the space must be paid for by local supporters of the campaign.

"Probably never in the history of a government endeavor of this character has such care been taken in the preparation of a speaker's handbook. The campaign organization realizes that the recovery program is one requiring special and careful explanation and it has written the speaker's book with that fact in mind. The book has been prepared with the utmost care with special attention being paid to accuracy. It is hoped that the speeches as written will make clear to all just what the President is striving to do in an effort to restore prosperity by increasing consumer buying power.

"The campaign colors—red, white and blue—which will be on all insignia, and the slogan, 'We do our part', already have aroused much favorable comment.

"All of the campaigning will lead up, of course, to adoption of the President's voluntary code, and there will be plenty of printed copies of it on hand for signers. Shipments of copies already have started and they will go forward rapidly. One offer received today was for transmission of codes by airplanes owned by private passenger companies, and it undoubtedly will be accepted. Mail carriers and others also will deliver the printed code. One of the chief desires of the administration is to relieve the man who wants to sign one of any trouble in locating a blank. So there will be plenty of distributing stations.

USE OF THE NRA EMBLEM

The National Recovery Administration this week made the following official announcement regulating the use of NRA insignia by employers who have signed the President's Employment Agreement:

"The NRA official emblem is the property of the United States Government. It may not be used or reproduced without authority of the NRA R. A.

"Regulations permit the use of this emblem by all employers who sign the President's reemployment agreement, and (in the form authorized for consumers, but only in such form) by consumers who sign a statement of cooperation.

"By application to the NRA any responsible manufacturer will be authorized to make and offer for sale hangers, cards, and stickers provided (a) he agrees to conform to regulations to prevent the emblem coming into hands of employers not authorized to use it; (b) he himself has signed the President's agreement and is authorized to use the emblem; and (c) he will sell at a reasonable price. Information regarding manufacturers authorized to supply the emblems will be issued by the NRA from time to time. For purposes of reproduction, the NRA will be glad to furnish original drawings to such manufacturers to the extent they are available but cannot undertake to do so if the demand should prove large.

"Every such manufacturer shall require of every employer ordering such emblems that he affix to his order one of the 1-inch stickers.

"Any newspaper, magazine, or other publication is authorized to reproduce the emblem in the advertisement of any employer, provided such employer files with the newspaper, magazine, or other publication a written statement that he has signed the President's agreement and affixes the sticker thereto.

"Any manufacturer of stationery or advertising literature, including labels, is authorized to reproduce the emblem on behalf of any employer who files with such manufacturers a written statement that he has signed the President's Reemployment Agreement and affixes the sticker thereto.

"Employers desiring to make other uses of the emblem may consult the NRA."

NAB PROGRAM CLEARING HOUSE

Approximately twenty-five requests have been received thus far for programs offered to member stations through the agency of the NAB Clearing House. Twenty programs have been received to date from stations, while at least another twenty-five broadcasters have promised to make programs available to the Clearing House in the near future.

Programs offered during the current week are as follows:

(D 6:1) "The (name of station) Detective." Single voice. Three to five minutes. Detective tells of mystery he solved, revealing all of the clues, but neither pointing them out as such nor divulging the actual solution of the mystery. The solution is then printed in the sponsor's ad in the newspapers, or announced over the sponsor's program on the next day.

(Sp 3) "Tickling the Ether." Two short humorous scripts which can be inserted in a musical program of fifteen minutes or half-hour in length to give the "comedy and music" set-up popular now. One is a skit of the "O. Henry" type; the other a humorous monologue.

Fidelity Plan Corporation, Washington, D. C.

(Sp 4) "Flower Club." Two voices. Music and poetry, with story woven around flowers. Five to fifteen minutes. Sponsor, one or more florists.

(Sp 5) "The Family Almanac." A daily feature of five minutes, morning preferable, giving interesting information about the day. The Almanac can carry a little horoscope, tell the sunrise and sunset, and a few paragraphs about interesting people born on that date. It also can carry a little nonsense and wind up with a short verse or thought for the day.

TRADE INDEX COLLECTION BEGUN

Report forms to be used in the collection of the information on the basis of which the NAB will construct its index of radio broadcast advertising will be mailed to member stations during the coming week.

The purpose of collecting the information is that of setting up an index and statistical service which will enable a determination of trends in radio advertising. This will be the first time that any figures have ever been collected for national, spot, and local advertising volume, as well as for a number of other features. The resulting data will be of marked importance in the planning of future commercial policy by the broadcasters, as well as in the promotion of broadcasting as against other advertising media. The undertaking also is in line with what is being done by many trade associations under the NRA.

Information collected from individual stations will be held strictly confidential. In order to preclude any possibility of the leakage of competitive information, stations will not be required to sign the monthly reports. Each staton, rather, will be given a code number for purposes of classification of results. The key to this code will be available only to the Managing Director and to Dr. Hettinger, who will have charge of the compilation of the index.

The construction of the index will be based upon a carefully selected group of 120 stations, picked as being representative of every type of broadcaster and every section of the country. The stations selected to cooperate embrace approximately 50% of the total station revenue as of 1931.

Response of stations asked to cooperate has been practically unanimous in favor of the undertaking. It is most important that stations asked to cooperate in the trade index do so, since the failure of one station to participate will seriously disrupt the sample for its class of transmitter and geographical district.

The machinery of the business index has been so devised as to make possible its application for all stations should this become necessary at a future date.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act to date:

Administered Fund, Inc., Jersey City, N. J. (2-83-1).
American Associated Dealers, Inc., Jersey City, N. J. (three issues).
American Bankstocks Corporation, Baltimore, Md.
American Business Shares, Inc., Jersey, City, N. J.
American Gold Mines Consolidation, Inc., New York City (2-81-1).
American Gyro Co., Denver, Colo. (2-102-1).
American Trustee Share Corporation, New York City.
American Venture Corporation, Toronto, Canada.
Arcade Securities Corporation, Sodus, N. Y. (2-80-1).
Automotive Devices Corporation, Washington, D. C.
Bank and Insurance Shares Inc. (two issues).
Bankers Union Life Co., Denver, Colo.
Borden Methol, Inc., Washington, D. C.
Bullock Fund, Ltd., Baltimore, Md., and Jersey City, N. J.
Canadian Investment Fund, Ltd., Montreal, Canada.
Canadian Reserve Mines, Ltd.. Toronto, Canada (2-95-1).
Capital Savings Plan, Inc., Philadelphia. Pa.
Centlivre Brewing Corporation, Fort Wayne, Ind.
Century Shares Trust, Boston, Mass. (2-96-1).
Colonial Bond and Share Corporation, Baltimore, Md. (2-101-1).
Columbia Carburetor Co., Washington, D. C. (2-85-1).
Corporate Equities, Inc., New York City.
Corporate Leaders of America, Inc., New York City (2-88-1).
Creighton, Clyde H., Dallas, Tex.
Cumulative Shares Corporation, New York City.
Distributors Group, Inc., New York City (two issues).
Electro-Inhaler Co., Washington, D. C. (2-84-1).
Equity Corporation, Jersey City, N. J.
Fidelity Fund, Inc., Boston, Mass.
Financial Independence Founders, Inc., New York City.
First Commonstocks Corporation, New York City.
First Insuranstocks Corporation, New York City.
Frontenac Corporation, Minneapolis, Minn.

Fundamental Investors Corporation, Jersey City, N. J.
General American Securities, Inc., New York City.
Gold Hub Mines Co., Denver, Colo.
Hamilton Depositors Corporation, Denver, Colo.
Income Foundation, Inc., Baltimore, Md.
Independence Royalty Fund, Baltimore, Md.
Industrial Institute, Inc., Jersey City, N. J. (2-90-1).
Insured Investors, Inc., Kansas City, Mo.
International Guaranty Thrift Syndicate, Denver, Colo. (2-92-1).
Interstate Investors, Inc., New York City (two issues).
Irving Investors Fund Co., Inc., New York City.
Keystone Custodian Funds, Inc., Philadelphia, Pa. (2-86-1).
London Option Gold Mining Co., Denver, Colo. (2-89-1).
Massachusetts Investors Trust, Boston, Mass.
Miniature Models Manufacturing Co., Ltd., Reno, Nev., and Los Angeles, Calif.
Mutual American Securities Trust, Jersey City, N. J. (2-97-1).
Mutual Mortgage Company of Chicago, Inc., Chicago, Ill. (2-98-1).
Nation-Wide Securities Co., Baltimore, Md., and Jersey City, N. J.
National Associated Dealers, Inc., New York City (2-93-1).
National Farm News Publishing Company, Washington, D. C.
National Trustee Fund, Inc., Philadelphia, Pa. (2-87-1).
Participating Securities Corporation, New York City.
Paymaster Consolidated Mines, Ltd., Toronto, Canada.
Plymouth Fund, Inc., Jersey City, N. J.
Qualified Gold Shares, Inc., New York City.
Republic Company, Denver, Colo.
Republic Investors Fund, Inc., New York City (2-94-1).
San Juan Ramsey Co., Boston, Mass.
Selected American Shares, Chicago, Ill.
Speculative Profit Shares, Inc., Jersey City, N. J.
Standard Corporations, Inc., Jersey City, N. J.
Standard Industrials, Inc., Jersey City, N. J.
Standard Oilshares Inc., New York City.
Standard Utilities, Inc., Jersey City, N. J.
State Street Investment Corporation, Boston, Mass.
Stutz Motor Company of America, Inc., New York City.
Super-Corporations of America Depositors, Inc., New York (2-99-1) (2-100-1).
Supervised Shares, Inc., Jersey City, N. J.
Texas Gulf Producing Company, Houston, Tex.
Trafilator Corporation, Staunton, Va. (2-78-1).
Trustee Standard Shares, Inc., New York City (three issues).
Union Deposit Company, Denver, Colo.
United States Banking Corporation, New York City.
United States Electric Light and Power Shares Inc., Baltimore, Md., and Jersey City, N. J.
Washington Industrial Loan Co., Washington, D. C.
Wolverine Consolidated Syndicate, Laramie, Wyo. (2-82-1).

MINUTES AVAILABLE SOON

Abstracts of the minutes of the Engineering Section meeting, held at Chicago, June 26, and the Commercial Section meeting, held at Grand Rapids, June 27, have been sent to the printer. Distribution to NAB membership will be made within the next two weeks.

ENGINEERING REPRESENTATIVES APPOINTED

In accord with the resolutions adopted at the meeting of the NAB Engineering Section at Chicago, June 26, the following have been appointed as zone representatives to assist the Engineering Committee in its study of the existing allocation system and its application:

First Zone: J. R. Poppele, WOR.
Second Zone: E. L. Gove, WHK.
Third Zone: J. H. DeWitt, Jr., WSM.
Fourth Zone: Wm. H. West, KSD.
Fifth Zone: Harold G. Peery, KHJ.

The study will be used by the Engineering Committee as a basis for a report at the October convention. An attempt will be made to describe an allocation system based on the best possible engineering.

CEASE AND DESIST ORDERS

During the month of June the Federal Trade Commission issued cease and desist orders against the following:

Misrepresentation of therapeutic value: 1838–Natural Eyesight Institute, Inc., Santa Monica; 1996–Nancy Lee Institute, New York City.

Misbranding: 2033–H. Michelsen Company, Inc., New York City; 2097–Samuel Brier and Company, Philadelphia.

COMMISSIONER STARBUCK ON TRIP

Commissioner Starbuck will leave Washington on Wednesday, August 2, for an inspection trip to observe the use of radio on communication air lines. He will go over the principal airlines of the country, both east and west, and will probably be away all of August. Mr. Starbuck has made similar inspection trips each summer since he has been a member of the Commission.

LEE ASSISTANT TO TERRELL

E. H. Lee, supervising radio inspector in charge of the Detroit office of the Radio Commission, has been called to Washington as assistant to William D. Terrell, chief of the Division of Field Operations of the Commission. Kenneth G. Clark, of the San Francisco office of the Commission, has been transferred to the Portland, Oregon, office as Acting Inspector in charge and Richard J. Cotton, an inspector in the Portland office, has been transferred as inspector in the Detroit office. Victor G. Rowe was transferred from the San Francisco to the Los Angeles office.

NO RADIO HEARINGS

No hearings at all are set at the Commission for the week beginning Monday, July 31.

TRADE COMMISSION ADVERTISING ORDER

The Federal Trade Commission has ordered E. Griffiths Hughes Inc., Rochester, N. Y., dealer in proprietary remedies, to stop representing that its "Kruschen Salts" constitutes a cure or remedy for obesity and that it will of itself reduce fat.

Also the company is told to cease asserting that its "Radox Bath Salts" has therapeutic value when used in the bath, that it releases great quantities of oxygen when used, that it combines the properties of world famous spas, or produces the effects of treatment at such places, that it stimulates or energizes the body, and that it is imported from England.

RCA LICENSE CASE ARGUED

Brief argument was held on Thursday before Justice Luhring, of the Supreme Court of the District of Columbia, in connection with the petition filed in that Court by C. Wood Arthur, a resident of this city, asking for a mandamus directing the Radio Commission to cancel the licenses of the Radio Corporation of America and its subsidiaries on the ground that the Federal Court of Delaware found RCA guilty of a practice that tended to a monopoly. Justice Luhring stated that he would render a decision on or before July 31. Earlier in the week the Commission filed an answer to the petition.

STATION PROMISES POUR IN

"Messages from radio stations, promising complete cooperation with the President's re-employment drive, poured into the National Recovery Administration in a steady stream throughout the day yesterday," the NRA officially announced July 28. "Full advantage of these offers of help will be taken by the Public Relations Bureau and within a very few days a veritable barrage of radio talks will be on the air."

"In addition to the nation-wide hook-ups, plans are being worked out for a countless number of educational and inspirational talks by local speakers. Enthusiastic affirmative responses have been received from substantially all of the radio stations of the nation.

"It is expected that, through promised cooperation of sponsors, many of the most popular of the radio programs will include sketches, songs, addresses and other material designed to give impetus to the Government's big drive to put men and women back on the payrolls."

WETS AND DRYS UNDER SAME RULES

The prohibition question should be argued over the radio by the wets and drys under similar rules and broadcasters should check carefully all political arguments delivered over their stations under the guise of "sermons," according to James H. Hanley, a member of the Commission.

Commissioner Hanley's statement was made in reply to a letter from Hubert LaDue of Yucaipa, California, who protested that reformers and ministers were delivering "sermons" against repeal of the Eighteenth Amendment while those favoring repeal must have their speeches identified as "This is a political talk; this station is neutral, etc."

"While the situation referred to by Mr. LaDue is not specifically covered by the Radio Law of 1927, as amended, or by regulations of the Commission, it is a matter which is worthy of serious study," Commissioner Hanley said.

"It would seem that in the interest of harmony and good will the licensees of stations would treat alike representatives of both sides of controversial questions. For station owners to stamp an address in favor of repeal of the Eighteenth Amendment as a "political talk," and to allow "sermons" opposing repeal to be delivered without such a designation, of course, is rank discrimination and should not be countenanced.

"As Mr. LaDue points out in a postscript, the opinion of the wets is of no more value, perhaps, than the opinion of the drys, but they should argue over the air under exactly the same rules.

"Nor should speakers over the air be allowed to argue a controversial matter deftly and subtly while discussing another topic. In such cases, in my judgment, the licensee would be justified in cutting the speaker off the air.

"In the Radio Law, specific instructions are laid down relative to the use by candidates for public office of radio stations in their campaign. It is set forth that if the licensee of a radio station permits one candidate to use its facilities, the same privilege must be extended to other candidates for the same office, but the licensee is not obliged to allow the use of its station by any candidate. That section of the law is eminently fair and just and should be a guide for all broadcasters in handling controversial matters.

"While the law says the licensee has no power of censorship over material broadcast under the clause relative to the use of a station by candidates, it is the solemn obligation and duty of broadcasters to scan carefully all other material used over their stations, for the Court of Appeals in the District of Columbia, in a celebrated decision in a radio case, recently quoted the Biblical injunction, "By their fruits ye shall know them," for the guidance of the Commission in evaluating stations and in determining whether they are operating in the public interest, convenience and necessity."

STATUS OF STATE LEGISLATURES

The number of legislatures actually in session continues at a minimum. California, Colorado (special session), New York (special session), South Dakota (special session), and Utah (second special session) are, or were, scheduled to be in session. Iowa is scheduled to meet September 15th, and Virginia August 17th, in special sessions. New Jersey is recessed until August 29th. Kentucky and Mississippi continue to stand out as the only two not having met, and not being scheduled to meet this year. Massachusetts, Michigan, Vermont, Wisconsin, and Oklahoma adjourned this month.

UNIFORM NEWSPAPER CONTRACT

A revision of the Standard Order Blank for Publications has been adopted by the American Newspaper Publishers Association, Periodical Publishers' Association, Associated Business Publications, and the Agricultural Publishers' Association in cooperation with the American Association of Advertising Agencies. The original Standard Order Blank was adopted by the same organizations in 1920 and has been in use since then without change.

AFA OFFERS NRA COOPERATION

Edgar Kobak, President of the Advertising Federation of America and Vice President of the McGraw-Hill Publishing Company, today tendered the services of the organized advertising interests of the nation to the National Recovery Administration. Full cooperation to publicize and advertise the President's Industrial Recovery program was pledged.

The Advertising Federation is the representative body of all advertising interests, having affiliated with it advertising clubs in most major cities as well as many advertising associations of national character. These groups will assist the Washington headquarters staff in copy preparation, as well as other matters.

The local advertising clubs will tie-in with the Chamber of Commerce in each city and help develop the local campaigns now under way.

The Federation's speakers' bureau was also made available to Recovery Administration.

The NAB holds membership in the AFA.

RESOLUTIONS ADOPTED BY AFA

The following resolutions were adopted by the Advertising Federation of America at its convention held at Grand Rapids, Mich., last month:

1. The Advertising Federation of America reaffirms its deep faith in the efficacy of organized effort, with all related interests working together to improve advertising and to curb destructive competition, especially in times of abrupt and far-reaching changes like the present. It offers to cooperate with all other organized bodies representing special interests in advertising, such as are included in the Federation's broad membership, to the end that they may mutually assist one another in this common cause.

2. In keeping with its principle of "Truth in Advertising," adopted twenty years ago, the Advertising Federation of America is in hearty accord with the aim of the Federal Administration to prohibit false, misleading, and unfair advertising, and it stands ready to cooperate with the Government in carrying into effect any constructive legislation to his end, which is broadly applicable to all lines of advertised industry and does not in itself, or by its method of enforcement, hamper legitimate advertising nor prevent a reasonably persuasive advertising appeal.

In this connection, it commends to the consideration of the Government the Declaration of Ideals and Principles adopted by the Federation at its last annual convention and the following advertising codes covering the national field and the local retail field.

A. *For the national field*—The Code of Advertising Practices adopted jointly a year ago by the Association of National Advertisers, Inc., and the American Association of Advertising Agencies, and also an Advertising Review Committee to interpret and apply the code.

This National code classified the following practices as unfair to the public and tending to discredit advertising:

1. False statements or misleading exaggerations.
2. Indirect misrepresentation of a product or service through distortion of details, either editorially or pictorially.
3. Statements or suggestions offensive to public decency.
4. Statements which tend to undermine an industry by attributing to its products, generally, faults and weaknesses true only of a few.
5. Price claims that are misleading.
6. Pseudo-scientific advertising, including claims insufficiently supported by accepted authority, or that distort the true meaning or application of a statement made by professional or scientific authority.
7. Testimonials which do not reflect the real choice of a competent witness.

B. *For the local retail field*—The Fair Practice Code for Advertising and Selling, adopted a year ago by the Affiliated Better Business Bureaus, Inc., which declares unfair and against the public interest the following practices:

1. Misleading advertising.
2. Unfair competitive claims.
3. Disparagement of competitors.
4. Underselling claims.
5. "Bait" offers.
6. Deceptive statements accompanying cut prices.

3. The Advertising Federation of America wishes to assert its confidence in the immediate future of American business and to express its belief in cooperative effort by Government and business, as a means of reducing destructive and unfair competition, to the end that merit may prevail, purchasing power be improved, and profits be made on legitimate business effort.

The Federation believes that the policy of a fair price for a good product will give advertising a better opportunity than ever before to appeal to consumers on a quality and service basis, and thus lessen wasteful sales effort by creating a more active consumer demand. It also believes that any effort made by the Government to prevent over-production will not operate to restrict the volume of advertised goods produced to satisfy an augmented consumer demand.

MRS. HOWELL OPENS OFFICE

Radio research work is now being done by Mrs. Fina M. Howell, attached to the Federal Radio Commission for several years. Mrs. Howell was official translator for the American delegates at both the International Radio Conference at Madrid and the 1931 Copenhagen C. C. I. R. Conference.

FEDERAL RADIO COMMISSION ACTION

APPLICATIONS GRANTED

First Zone

WABI—First Universalist Society of Bangor, Bangor, Maine.—Granted authority to remain silent for a period of three days in order to move transmitter to another room.

Second Zone

WSEN—The Columbus Broadcasting Corp., Columbus, Ohio—Granted license authorizing local move of transmitter; 1210 kc., 100 watts, unlimited time.

WEHC—Emory and Henry College, Charlottesville, Va.—Granted consent to voluntary assignment of construction permit to Community Broadcasting Corp.

Third Zone

WACO—Central Texas Broadcasting Co., Inc., Waco, Texas—Granted modification of construction permit to extend commencement date to at once and completion date to Dec. 30, 1933.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted special temporary authority to operate from 7:45 p. m. to 12 midnight, CST, for period ending Sept. 10, 1933, providing WODX remains silent.

Fourth Zone

WGN—WGN, Inc., Chicago, Ill.—Granted temporary renewal of license and designated application for hearing; also same for auxiliary transmitter.

WEW—The St. Louis University, St. Louis, Mo.—Granted extension of special authority to discontinue operation except to broadcast all government reports, from Aug. 1 to Sept. 1, 1933.

KUSD—University of South Dakota, Vermillion, S. Dak.—Granted authority to remain silent from the present time to Sept. 18.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special authority to use time assigned to but not used by KUSD and WILL during month of August.

KFOR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate from 12:30 to 2 p. m., CST, July 28, provided KFDY remains silent.

Fifth Zone

None.

APPLICATIONS SET FOR HEARING

NEW—Nicholas Kuris, Muskegon, Mich.—Construction permit for new station; **1200 kc.**, 100 watts, daytime.

NEW—Willard C. DeMuth, Ulrichesville, Ohio—Construction permit for new station; **1370 kc.**, 100 watts, daytime.

KOIN—KOIN, Inc., Portland, Ore.—Construction permit to make changes in equipment and increase daytime power from 1 KW to 2½ KW.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to move transmitter locally; change frequency from **1430 kc.** to **780 kc.**; increase day power from 1 KW to 2½ KW; use present auxiliary transmitter of KFI modified. (Facilities formerly assigned to KGEF.)

WIBA—Badger Broadcasting Co., Madison, Wis.—Construction permit to change location of transmitter to one mile northwest of Waunakee, Wis.; make changes in equipment; change frequency from **1280 kc.** to **720 kc.**; increase power from 500 watts night, 1 KW day, to 25 KW, and change hours from unlimited to sharing with WGN. (Facilities of WGN, WHA, and WLBL.)

MISCELLANEOUS COMMISSION ACTION

WPG—WPG Broadcasting Corp., Atlantic City, N. J.—The Commission reconsidered its action of July 11, in granting this station a regular license, and granted a temporary renewal of license and designated application for hearing because its facilities have been applied for.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Granted renewal of license, **1190 kc.**, 500 watts, limited time, sunset WOAI; also granted special temporary authority to operate with an additional 500 watts power.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Granted special temporary authorization to operate unlimited time pending Commission decision on application requesting a change of hours to unlimited. This special authority in no event is to extend beyond 3 a. m., EST, Nov. 1, 1933.

KGBX—KGBX, Inc., Springfield, Mo.—Suspended grant of application for voluntary assignment of license of KGIZ, of Grant City, Mo., to KFBX, because of protests of A. Craig Siegfried and Max A. Kramer, and designated application for hearing.

APPLICATIONS RECEIVED

First Zone

WMSG—Madison Square Garden Broadcast Corp., New York City—Consent to voluntary assignment of license to Standard Cahill Co., Inc.

WCDA—Italian Educational Broadcasting Co., New York City—Consent to voluntary assignment of license to Standard Cahill Co., Inc.

Second Zone

None.

Third Zone

WEED—William Avera Wynne, Greenville, N. C.—Modification of construction permit granted 6-16-33; changes in equipment, change street address of studio, and extend date of commencement.

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of construction permit granted 6-9-33 to extend dates of commencement and completion to 8-19-33 and 11-19-33, respectively. (Supersedes former application to extend commencement date only.)

KRGV—KRGV, Inc., Harlingen, Texas—Modification of license to change hours of operation from shares equally with KWWG to unlimited time. (Facilities of KWWG.)

Fourth Zone

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Modification of construction permit granted 10-21-32 to change transmitter and studio location one mile from proposed location, change equipment, amended to change specified hours.

WIBA—Badger Broadcasting Co., Inc., Madison, Wis.—Construction permit to move transmitter from Madison to Burke, Wis., make changes in equipment, change from **1280 kc.**, 500 watts, 1 KW until local sunset, unlimited time, to **720 kc.**, 25 KW, shares WGN (facilities of WGN, WHA, and WLBL), amended to change proposed transmitter location to one mile northwest of Waunakee, Wis.

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Construction permit to change equipment, frequency, power and hours from **1310 kc.**, 100 watts, unlimited time, to **780 kc.**, 250 watts, daytime.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Construction permit to move transmitter from 540 N. Lake St. to two miles from center of Gary, Ind.

Fifth Zone

None.

APPLICATIONS RETURNED

WSAR—Doughty and Welch Electric Co., Inc., Fall River, Mass.—Construction permit to move transmitter and studio from 32 N. Main St., Fall River, Mass., to Crowninshield Shipyard, Town of Somerset, and 1 South Main St., respectively; make changes in equipment and increase power from 250 watts to 250 watts night, 500 watts day, experimentally. (Improper form and unsatisfactory equipment.)

WHBY—WHBY, Inc., Green Bay, Wis.—Construction permit to make changes in equipment, change frequency from **1200 kc.** to **990 kc.**, and increase power from 100 to 500 watts (facilities of WLBL, WJJD, and WGES). (Unsatisfactory equipment, Rule 116.)

NEW—Korn Krib General Mercantile Store, Cromwell, Okla.—Construction permit to erect a new broadcast station to use **1250 kc.**, 15 watts, unlimited time. (Unsatisfactory equipment, Rules 120 and 145.)

NEW—C. C. Crawford, Haynesville, La.—Construction permit to erect a new broadcast station to use **1200 kc.**, 50 watts, specified hours (facilities of KMLB which are not being used). (Questionable equipment and unsatisfactory transmitter location.)

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Special experimental authority to increase power from 500 watts to 1 KW for 90 days. (Rules 6 and 43.)

NEW—W. E. Barclift, P. L. Barclift, and F. E. Barclift, d/b as Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.—Either to move WPFB from Hattiesburg, Miss., to Tuscaloosa, Ala., or for new station requesting facilities of WPFB. (Not clear, and inconsistent.)

WJBY—J. L. Aders, Gadsden, Ala.—Consent to involuntary assignment of license from Gadsden Broadcasting Co., Inc. (Request of applicant.)

WJBY—J. L. Aders, Gadsden, Ala.—Construction permit to move transmitter and studio of WJBY locally. (Request of applicant.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★
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THE HONOR ROLL OF BROADCAST STATIONS

The stations listed below have signed and returned to NAB Headquarters the following pledge of cooperation:

> "I pledge the cooperation of Station —— to the National Recovery Administration in the campaign to arouse popular support for President Roosevelt's undertaking to create jobs for the jobless and end unemployment for as many as possible in the quickest possible time."

The list is complete as of 5 p. m. Friday, August 4, although each mail brings in additional pledges. Next week the list will be revised and it is hoped that the Honor Roll will include the call letters of every station in the United States. If you have not executed your pledge, please do so at once. If for any reason you did not receive a copy of the pledge, or it has become lost, write NAB Headquarters and copies will be supplied. A copy of this list and the subsequent list will be filed with the NRA.

This list includes 350 stations.

NETWORKS

Columbia Broadcasting System
National Broadcasting Company
Yankee Network
Don Lee Broadcasting System

FIRST ZONE

- Connecticut
  - WICC, Bridgeport
  - WDRC, Hartford
  - WTIC, Hartford
- Delaware
  - WDEL, Wilmington
- District of Columbia
  - WOL, Washington
- Maine
  - WRDO, Augusta
  - WABI, Bangor
  - WCSH, Portland
  - WAGM, Presque Isle
- Maryland
  - WBAL, Baltimore
  - WCAO, Baltimore
  - WCBM, Baltimore
  - WFBR, Baltimore
  - WTBO, Cumberland
- Massachusetts
  - WAAB, Boston
  - WBZ, Boston
  - WBZA, Boston
  - WEEI, Boston
  - WHDH, Boston
  - WLOE, Boston
  - WNAC, Boston
  - WLEY, Lexington
  - WNBH, New Bedford
  - WBSO, Needham
  - WMAS, Springfield
  - WORC, Worcester
  - WTAG, Worcester
- New Hampshire
  - WHEB, Portsmouth
- New Jersey
  - WCAM, Camden
  - WAAT, Jersey City
  - WAAM, Newark
  - WOR, Newark
  - WODA, Paterson
  - WTNJ, Trenton
  - WAWZ, Zarephath
- New York
  - WMBO, Auburn
  - WNBF, Binghamton
  - WARD, Brooklyn
  - WLTH, Brooklyn
  - WMIL, Brooklyn
  - WBEN, Buffalo
  - WEBR, Buffalo
  - WGR, Buffalo
  - WKBW, Buffalo
  - WGNY, Chester Twp.
  - WESG, Elmira
  - WGLC, Glens Falls
  - WOCL, Jamestown
  - WABC, New York
  - WCDA, New York
  - WHN, New York
  - WMCA, New York
  - WNYC, New York
  - WOV, New York
  - WHAM, Rochester
  - WHEC, Rochester
  - WNBZ, Saranac Lake
  - WFBL, Syracuse
  - WHAZ, Troy
  - WWRL, Woodside
- Rhode Island
  - WEAN, Providence
  - WJAR, Providence
  - WPRO, Providence
- Vermont
  - WSYB, Rutland
  - WNBX, Springfield
  - WDEV, Waterbury

SECOND ZONE

- Kentucky
  - WCKY, Covington
  - WFIW, Hopkinsville
  - WLAP, Louisville
  - WPAD, Paducah
- Michigan
  - WHDF, Calumet
  - WJR, Detroit
  - WMBC, Detroit
  - WWJ, Detroit
  - WXYZ, Detroit
  - WKAR, East Lansing
  - WFDF, Flint
  - WASH, Grand Rapids
  - WOOD, Grand Rapids
  - WJBK, Highland Park
  - WJMS, Ironwood
  - WIBM, Jackson
  - WKZO. Kalamazoo
  - WMPC, Lapeer
- Ohio
  - WJW, Akron
  - WHBC, Canton
  - WFBE, Cincinnati
  - WLW, Cincinnati
  - WSAI, Cincinnati
  - WGAR, Cleveland
  - WJAY, Cleveland
  - WCAH, Columbus
  - WOSU, Columbus
  - WSEN, Columbus
  - WHBD, Mt. Orab
  - WADC, Tallmadge
  - WSPD, Toledo
  - WKBN, Youngstown
- Pennsylvania
  - WCBA, Allentown
  - WFBG, Altoona
  - WLBW, Erie
  - WIBG, Glenside
  - WCOD, Harrisburg
  - WHP, Harrisburg
  - WAZL, Hazleton
  - WJAC, Johnstown
  - WKJC, Lancaster
  - WCAU, Philadelphia
  - WDAS, Philadelphia
  - WFI, Philadelphia
  - WHAT, Philadelphia
  - WPEN, Philadelphia
  - WRAX, Philadelphia
  - WTEL, Philadelphia
  - KDKA, Pittsburgh
  - KQV, Pittsburgh
  - WJAS, Pittsburgh
  - WWSW, Pittsburgh
  - WEEU, Reading
  - WRAW. Reading
  - WGBI, Scranton
  - WQAN, Scranton
  - WNBO, Silver Haven
  - WBRE, Wilkes-Barre
  - WRAK, Williamsport
  - WORK, York
- Virginia
  - WJSV, Alexandria
  - WBTM, Danville
  - WLVA, Lynchburg
  - WGH, Newport News
  - WTAR, Norfolk
  - WPHR, Petersburg
  - WMBG, Richmond
  - WRVA, Richmond
  - WRBX, Roanoke
- West Virginia
  - WMMN, Fairmont
  - WSAZ, Huntington
  - WWVA, Wheeling

THIRD ZONE

- Alabama
  - WAPI, Birmingham
  - WBRC, Birmingham

WBHS, Huntsville
WODX, Mobile
WSFA, Montgomery
WHET, Troy

Arkansas

KTHS, Hot Springs
KARK, Little Rock
KGHI, Little Rock
KLRA, Little Rock
KCMC, Texarkana

Florida

WQAM, Miami
WDBO, Orlando
WCOA, Pensacola
WDAE, Tampa

Georgia

WENC, Americus
WGST, Atlanta
WSB, Atlanta
WRDW, Augusta
WKEV, LaGrange
WMAZ, Macon
WJTL, Oglethorpe U.
WFDV, Rome

Louisiana

KMLB, Monroe
WBBX, New Orleans
WDSU, New Orleans
WWL, New Orleans
KRMD, Shreveport
KWEA, Shreveport
KWKH, Shreveport

Mississippi

WKFI, Greenville
WJDX, Jackson
WHEF, Kosciusko
WGCM, Mississippi City
WQBC, Vicksburg

North Carolina

WWNC, Asheville
WBT, Charlotte
WSOC, Gastonia
WBIG, Greensboro
WPTF, Raleigh
WRAM, Wilmington
WSJS, Winston-Salem

Oklahoma

KOCW, Chickasha
KCRC, Enid
KFXR, Oklahoma City
KGFG, Oklahoma City
KGFF, Shawnee
KVOO, Tulsa

South Carolina

WIS, Columbia
WFBC, Greenville
WSPA, Spartanburg

Tennessee

WOPI, Bristol
WDOD, Chattanooga
WTJS, Jackson
WNOX, Knoxville
WHBQ, Memphis
WMC, Memphis
WNBR, Memphis
WLAC, Nashville
WSM, Nashville
WSIX, Springfield

Texas

KGRS, Amarillo
WFAA, Dallas
WRR, Dallas
KFPL, Dublin
KTSM, El Paso
WDAH, El Paso
KFJZ, Fort Worth
KTAT, Fort Worth
KLUF, Galveston
KFPM, Greenville
KRGV, Harlingen
KPRC, Houston
KFYO, Lubbock
KABC, San Antonio
KMAC, San Antonio
KONO, San Antonio
KTSA, San Antonio
KGKB, Tyler
WACO, Waco
KGKO, Wichita Falls

FOURTH ZONE

Illinois

WCAZ, Carthage
KYW, Chicago
WAAF, Chicago
WBBM, Chicago
WCFL, Chicago
WCRW, Chicago
WSBC, Chicago
WEHS, Cicero
WHFC, Cicero
WKBI, Cicero
WJBL, Decatur
WEBQ, Harrisburg
WCLS, Joliet
WKBB, Joliet
WJBC, La Salle
WMBD, Peoria
WTAD, Quincy
KFLV, Rockford
WHBF, Rock Island
WCBS, Springfield
WTAX, Springfield
WDZ, Tuscola

Indiana

WHBU, Anderson
WKBV, Connersville
WTRC, Elkhart
WGBF, Evansville
WKBF, Indianapolis
WLBC, Muncie
WBOW, Terre Haute

Iowa

WOI, Ames
KWCR, Cedar Rapids
KOIL, Council Bluffs
WOC, Davenport
KGCA, Decorah
KWLC, Decorah
KSO, Des Moines
WHO, Des Moines
KFJB, Marshalltown
WIAS, Ottumwa
WMT, Waterloo

Kansas

KFBI, Abilene
WLBF, Kansas City
WREN, Lawrence
KFH, Wichita

Minnesota

KGDE, Fergus Falls
WCCO, Minneapolis
WDGY, Minneapolis
WRHM, Minneapolis
KGFK, Moorhead

Missouri

KFVS, Cape Girardeau
KFUO, Clayton
WOS, Jefferson City
WMBH, Joplin
KMBC, Kansas City
KWKC, Kansas City
WDAF, Kansas City
WOQ, Kansas City
KMOX, St. Louis
KWK, St. Louis
WEW, St. Louis
WIL, St. Louis
KGBX, Springfield

Nebraska

KGFW, Kearney
KGNF, North Platte
WAAW, Omaha
WOW, Omaha
KGKY, Scottsbluff

North Dakota

WDAY, Fargo

South Dakota

KFDY, Brookings
KSOO, Sioux Falls
KUSD, Vermillion
WNAX, Yankton

Wisconsin

KFIZ, Fond du Lac
WHBY, Green Bay
WCLO, Janesville
WKBH, La Crosse
WHA, Madison
WHAD, Milwaukee
WTMJ, Milwaukee
WHBL, Sheboygan
WLBL, Stevens Point
WEBC, Superior

FIFTH ZONE

Arizona

KOY, Phoenix
KVOA, Tucson
KUMA, Yuma

California

KFWB, Hollywood
KFOX, Long Beach
KFAC, Los Angeles
KFVD, Los Angeles
KGFJ, Los Angeles
KHJ, Los Angeles
KRKD, Los Angeles
KLS, Oakland
KFXM, San Bernardino
KTAB, San Francisco
KREG, Santa Ana
KWG, Stockton

Colorado

KFEL, Denver
KLZ, Denver
KPOF, Denver
KIDW, Lamar
KGHF, Pueblo
KGIW, Trinidad

Idaho

KIDO, Boise
KID, Idaho Falls
KFXD, Nampa

Montana

KGHL, Billings
KGIR, Butte
KGEZ, Kalispell
KGVO, Missoula

Nevada

KGIX, Las Vegas
KOH, Reno

New Mexico

KGGM, Albuquerque
KICA, Clovis
KGFL, Raton

Oregon

KALE, Portland
KEX, Portland
KGW, Portland
KOIN, Portland
KWJJ, Portland

Utah

KLO, Ogden

Washington

KFBL, Everett
KPCB, Seattle
KTW, Seattle
KVL, Seattle
KFIO, Spokane
KFPY, Spokane
KVI, Tacoma
KUJ, Walla Walla
KPQ, Wenatchee

Wyoming

KDFN, Casper

WORK ON BROADCASTERS CODE

General Hugh S. Johnson, administrator of the NRA, was advised on August 1 by the Managing Director that the NAB "is now at work developing a code for broadcasters."

"President Alfred J. McCosker has appointed a committee which has addressed a questionnaire to all broadcasters with a view to obtaining information upon which a code will be drafted for submission to the NRA," the letter states:

"Every effort will be made to have the code agreed upon and ready for submission at the earliest possible date."

Questionnaires mailed to all stations on July 31 are pouring in to NAB headquarters and information contained therein will be used as the basis for the broadcasters' code. There is no need to stress the importance of each station supplying the information requested at the earliest possible date. Stations are cooperating generously in making the publicity campaign successful and the drafting and filing of a code are essential to make broadcasting's compliance with the letter and spirit of the law complete.

CODE PROCEDURE OUTLINED BY NRA

Procedure by which the National Recovery Administration plans to expedite the progress of Codes of Fair Competition from submission by the affected industries through public hearings and to final approval by the President was made public on July 31.

The major steps through which a code will pass, outlined by John M. Hancock, the administration's executive officer are substantially as follows:

"Application for approval of a code must be made by a trade association or other group within the industry.

"Following its presentation in behalf of an industry by the trade association, a code will be studied to determine that the association sponsoring it is truly representative of the industry. That having been determined, the code will be forwarded to a code analysis division for a quick examination. In this division the constitution and by-laws of the trade association will be examined to make sure that there are no inequitable restrictions as to membership and that the association method of levying dues does not discriminate against smaller producers in the industry.

"The code will then be examined for its general form and continuity of provisions. Each code must contain certain provisions required by law or by executive order, such as those guaranteeing the right of collective bargaining and banning child labor.

"The code also will be examined to determine whether any provisions are in conflict with any policy of the Administration.

"The examiner then will prepare a letter containing suggestions as to changes in form or content of the code or of the trade association's constitutional by-laws. This letter, having been approved by the control division, it will be sent to the trade association. At the same time copies of the letter will be sent to members of the Industrial Advisory Board, the Consumers Advisory Board, the Labor Advisory Board, the Legal Division, Planning and Research and the deputy Administrator to whom the code ultimately will be assigned for hearing. Up to this time one man may represent an industry.

"Conferences will then be scheduled between the trade association representatives and as many men from the industry as it may wish with deputy administrator. The conferences will be participated in by an industrial adviser, consumer adviser, labor adviser, a member of the legal staff, a member of the research and planning staff and a code analyst.

"Necessary revisions developed as a result of the conferences will be reported to the trade association for its approval. These revisions having been adopted or rejected by the association, the code will be ready for public hearing.

"Notices of the public hearing will be sent to trade publications and will be posted on the bulletin boards of over 1,100 first-class post-offices throughout the country.

"The Administrator, the public hearing having been concluded, will prepare a report to the President, the report to include the code as finally proposed, a copy of the notice of hearing, a statement procedure followed, a statistical analysis by the research, and planning division, a transcript of the public hearing record and a copy of the deputy administrator's report.

"The final step is approval or disapproval of the code by the President and issuance of the necessary executive order by the President if he approves the Administrator's report."

N. A. RADIO CONFERENCE DEADLOCKED

Advices from the State Department indicate that the North American Radio Conference, in progress in Mexico City since July 10, has reached an impasse.

While little official information has seeped from the sessions of the Mexico City conference, it is understood that Mexico is seeking 12 clear channels and that the U. S. Delegation has taken the view that this demand exceeds the actual needs of Mexico.

Whether or not an eleventh-hour attempt to break the deadlock, which is understood to have existed for two weeks, will succeed is problematical. It is being predicted in Washington that the conference is likely to adjourn in the near future unless some basis for agreement can be found. At the present time there seems to be little hope for agreement.

An indication that residents of Mexico are becoming more radio-minded is seen in the recent inauguration of a new and powerful broadcasting station in Mexico City, according to a report from Acting Commercial Attache Robert G. Glover, Mexico City, made public by the Department of Commerce.

The new station, built and owned by the "El Buen Tono" (cigarette factory), commenced broadcasting on July 23. According to the Commerce Department's Electrical Equipment Division, the station, with 40,000 watts at the antenna, is one of the most powerful stations in Mexico.

MOVIE GROUPS MUST WORK TOGETHER

The motion picture industry was admonished this week that it must work together in a telegram sent to various groups by Deputy Administrator Sol A. Rosenblatt. "The motion picture industry, presently divided into groups and factions, must compose its differences and units so far as possible to submit a code at the earliest moment," Mr. Rosenblatt stated in his telegram. "I understand that various groups are working separately. They must work together."

Mr. Rosenblatt has been assigned to codes to be presented by the music publishers, theaters and the legitimate stage, broadcast performers, authors, opera, circus, burlesque, vaudeville, and carnivals.

Deputy Administrator Kempt has been assigned to the codes to be presented by the newspapers and magazines while Deputy Administrator Whiteside has been assigned to advertising codes and to coordinate the advertising features with Deputy Kempt.

There has been no definite assignment with respect to the proposed broadcasters code although such an assignment will undoubtedly be made shortly.

NON-MEMBERS URGED TO COOPERATE

In dealing with industries submitting codes, officials of the NRA are urging each business unit to cooperate with the trade association representing its industry. Such cooperation not only expedites action, which is important, but makes for better representation of the industry involved.

The NAB, in drafting and submitting a code, will represent the broadcasting business but this representation can be more effective from every point of view if every station joins up and does its part. Nothing would be more beneficial to the broadcasters and more helpful to the NRA than if all 610 licensed stations joined together in a single body under the NAB and worked cooperatively toward the achievement of the letter and spirit of the National Recovery Act.

In an effort to perfect the broadcasters' organization, the NAB at St. Louis, last November, reduced to $60,00 a year dues for stations whose gross business during the 12-month period immediately preceding December 1, 1932 did not exceed $30,000.00. It is estimated that about 200 stations will fall within this classification.

With a view to perfecting the organization, the NAB, through its membership committee, is embarking upon a nationwide membership campaign. It is hoped that every station, large and small, education and commercial, will join up and cooperate in making the broadcasters' part in the recovery campaign effective.

POWER TAX REMOVED SEPTEMBER 1

Commissioner of Internal Revenue Guy T. Helvering on August 1 issued a statement officially declaring that the electrical energy tax imposed under the Revenue Act of 1932 shall after September 1 be lifted from domestic and commercial users of power and placed upon the vendor.

The NAB, at the time of passage of the Revenue Act of 1932, obtained a ruling from the Internal Revenue Bureau classifying broadcast stations as commercial unders of power and under this ruling it would seem that broadcast stations would not be required to pay the electrical energy tax after September 1.

The August 1 ruling of the Commissioner of Internal Revenue follows in full text:

"Section 616 of the Revenue Act of 1932, imposing on the consumer a tax of 3 per cent on amounts paid for electrical energy furnished for domestic or commercial consumption, was amended by the Act of June 16, 1933 (Public No. 73—73d Congress) so that the vendor of electrical energy sold on and after September 1, 1933, for domestic or commercial consumption will be liable for payment of the 3 per cent tax, based on the price for which sold.

"Under the provisions of section 616 now in effect, the tax must be paid by the domestic or commercial consumer of electrical energy furnished up to and including August 31, 1933, irrespective of when payment for the energy so furnished is made.

"On and after September 1, 1933, all vendors of electrical energy will be liable for tax on electrical energy sold for domestic or commercial consumption, and not for resale, at the rate of 3 per cent of the price for which the energy is sold. The law specifically provides that a publicly-owned electric and power plant will not be liable for tax on electrical energy it sells, even though such energy is sold for domestic or commercial consumption.

"In the case of an owner or lessee of a building who purchases electrical energy for resale to tenants therein, the law regards the initial sale of the energy to such owner or lessee as the taxable sale for consumption, and the resale to the tenant is not considered a sale for consumption."

COPYRIGHT SUIT FILED IN OHIO

While the Department of Justice and the Federal Trade Commission is continuing its investigation of the practices of the American Society of Composers, Authors and Publishers, stations are being confronted with infringement suits from other quarters.

Station WGAR, Cleveland, for example, has just been sued for infringement by the Society of European State Authors and Composers, Inc., in the Federal District Court for the Northern District of Ohio. The suit alleges that Station WGAR rebroadcast the composition, "As We Part" (copyrighted in the year 1916, by Edward Schuberth and Company as written by Frederick Peterson and McNair Ilgenfritz and assigned to Schuberth), on or about July 6, 1931. The suit alleges that this number was included in a program sent to the Cleveland station by means of telephone wires from Station WJZ, New York, and that the station broadcast the vocal rendition with orchestral accompaniment without license, authority, or acquiescence from the complainants. The copyright owner asks for damages in the sum of $1,000, plus full cost of the action, including attorneys fees. Answer is due August 15.

PROGRAM CLEARING HOUSE RELEASES

Nine new programs are being released this week to member stations by the NAB Program Clearing House. Splendid cooperation has been received from stations. Approximately 75 programs have been sent in thus far, of which 27 have been released to date. Programs received will be published in the NAB Reports as rapidly as possible. The quality of scripts received has been uniformly high, and it will be to the advantage of member stations to avail themselves of the privilege of examining sample continuities, if the program seems at all applicable to their needs. Programs offered this week are as follows:

(D 1:1) "GOOD EVENIN' JUDGE." Thirty minutes in length. Requires three standard characters, the Judge, Police Sergenat and Court Clerk. From three to five other characters can be used, including a country hick, negro, Jewish offender, an Italian and a "falsetto" woman. The plot revolves about the hearings conducted by the judge, the humor being afforded in ample quantity by the prisoners and other characters. Opportunity is provided for the sandwiching of commercial announcements into the continuity in such a way as to make them part of the program's dramatic interest. On stations where the program has been used, from ten to twelve announcements of different non-competing sponsors have been regularly inserted into one program. Doubling seems to be possible in some characters.

The program contains many opportunities for additional promotion. Some of the stations using the program have run contests for the funniest incident suggested by a listener to be included in subsequent programs. In other cases listeners have been invited to the studios to take part as court audience. The program can be easily worked in costume if so desired.

GOOD EVENIN' JUDGE has been used by about 20 radio stations, none of whom have run it for less than three months, using it mostly as a daily broadcast. Excellent sales results have been achieved. Can be used in morning as "GOOD MORNIN' JUDGE" if morning program is desired. Six thirty minute scripts—one week's broadcast—are available at the price of $5.00 per week if order is placed before September 1, and at $7.50 a week is placed thereafter.

(D 1:2) "TEEING OFF." Fifteen-minute program. Four characters required, two men and two women. Story revolves about the adventures of four golf enthusiasts, an easy going purchasing agent of a large plant, a bombastic salesman, the purchasing agent's wife, of the "Gracie Allen" type, and Melville Bluster, whose chief proclivities is getting into jams. Program is highly individual. Has enough golf to interest golfers, and enough general interest for the layman. Price per script is $10.00. One hundred episodes are available.

(D 1:3) "LULU AND LEANDER." Fifteen-minute program. Three characters, one man and two women, are required. Plot deals with adventures of Leander Doolittle, a shiftless negro with the desire to be a promoter, Lulu, his wife and Lulu's mother, a kindly colored woman of the south who is always getting the pair out of their difficulties. Other characters are employed occasionally. Approximately 100 scripts are available at a price of $10.00 per script.

(D 2:3) "HEATHER COVE." Fifteen-minute program. Two characters, an old Scotch sea-captain and a young boy of nineteen. The homely drama and comedy of the series is woven about the visits of the boy to the ex-mariner's cottage on the outskirts of a New England village. Here the lad receives advice on his adolescent problems, and is regaled by the captain with tales of adventure on the high seas. Twenty-five episodes available at $3.00 each.

(D 8:1) "OLIVER TWIST." A dramatization of the famous novel by Charles Dickens. Available in twelve episodes of thirty minutes each. Price is $5.00 per episode for stations 1,000 watts and under, and $7.50 for stations of more than 1,000 watts in power.

(D 3:1) "OLD GLORY." A series of twelve thirty-minute programs dealing with various events in American history. Scripts are available at the same price and under the same conditions as (D 8:1).

(D 3:2) "DRAMAS OF SCIENCE." A series of ten programs dramatizing great scientific discoveries. Each program is 30 minutes in length, and requiring on an average of four to five characters. Has been sponsored by the dairy and food council of a large community. Available under the same conditions and at the same price as (D 8:1).

(D 8:2) "NIFTIES OF THE NINETIES." A series of twelve character dramas of that period, thirty minutes in length, employing usually about four characters, and weaving together homely drama, humor and the quaintness of the mauve decade. Available at the same price and under the same conditions as the three preceeding programs.

(D 4:1) "DREAMS." A series of thirteen dramatizations revolving about dreams, and including tragedy, romance and comedy. Cast numbers no more than four people for any episode, including the narrator. Drama tends toward a melodramatic touch. Scenes are fast moving in that action shifts rapidly from one scene to another. Scripts available at $5.00 per episode.

(D 4:2) "MEMORIES OF THE OLD OP'RY HOUSE." A series of thirty-minute programs revolving about the dramas, musical comedies and performers of the past generation. Somewhat unique in that it does not feature one, but several plays in one program. This is accomplished by dramatizing one play, and using numbers and incidents from the rest. Program is commercially sponsored and is now in its second series of thirteen weeks. Staging can be expanded and contracted according to desires, while novelty features also can be inserted at will. Thirteen episodes are available at $5.00 per episode.

The following conditions should be clearly understood with regard to the operation of the Program Clearing House. (1) The service is available only to members of the NAB. (2) Offers of programs to member stations are subject to such conditions as the offerer may prescribe. (3) The NAB acts merely as a clearing house. It does not guarantee the quality, originality or any other aspect of programs offered. It does not handle continuities, confining its activities merely to the publication of program summaries and the transmission of inquiries to the offering station. When making inquiries stations are requested to refer to programs by their classification number.

TRANSCRIPTIONS SOLD OR EXCHANGED

Information as to stations having electrical transcriptions in good condition which they might be willing either to sell to other stations or to exchange for transcriptions which they themselves do not possess, has been requested by a member station.

The station further suggests that the collection of information regarding transcriptions available either for sale or exchange might be made an activity of the Program Clearing House. Since there is a good deal of merit in the idea, the NAB Program Clearing

House hereafter will accept, in addition to scripts and program ideas, a record of any transcriptions which member stations are willing to offer for sale or exchange. This service will operate under the same general conditions which apply to the script and program service.

OPPOSES MORE POWER FOR WILL

Station WILL, Urbana, Ill., asked that its daytime power be increased from 500 to 1,000 watts. The station operates on a frequency of 890 kilocycles. Report No. 496 (Walker, e.). Recommends that application be denied.

The Examiner states in his report that "serious and objectionable interference now exists between Station WILL and WENR, due to insufficient mileage separation. The granting of the present application would increase this interference and further restrict the good service area of Station WENR. It does not appear that the public interest, convenience or necessity, would be served by granting the application."

RCA CASE IS DISMISSED

Justice Luhring, of the Supreme Court of the District of Columbia this week dismissed the petition of C. Wood Arthur, resident of this city asking for a mandamus directing the Radio Commission to cancel the licenses of the Radio Corporation of America and its subsidiaries because of the decision of the Federal Court of Delaware in which RCA was found guilty of a practice that tended to a monopoly.

WKAV COURT APPEAL DISMISSED

The Court of Appeals of the District of Columbia this week dismissed the appeal of Station WKAV, Laconia, N. H., at the request of the station. The Radio Commission denied a license renewal to the station and it appealed to the Court. The appeal has now been dismissed.

WLOE TO ASK SUPREME COURT REVIEW

Station WLOE, Boston, and William S. Pote, owner of the station, requested a transcript of record, preliminary to filing a petition in the United States Supreme Court for writ of certiorari.

This station asked for a license renewal and William S. Pote, who purchased the station from the receiver when it was in bankruptcy asked the Radio Commission for an involuntary assignment of license. In both cases the Commission refused the applications.

Both the station and the owner appealed to the Court of Appeals of the District of Columbia. The Court upheld the ruling of the Commission and now it is proposed to take the case into the Supreme Court of the United States.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the week:

American Gyro Company, Denver, Colo. (2-102-1).
Colonial Bond & Share Corporation, Baltimore, Md. (2-101-1).
John E. Edgerton, Inc., Lebanon, Tenn. (2-109-1).
First Investment Counsel Corporation, Boston, Mass. (2-105-1).
Mutual Management Company, Jersey City, N. J. (2-103-1).
National Bond Depositor Corporation, Indianapolis, Ind. (2-110-1).
National Boston Montana Mines Corporation, Helena, Mont. (2-108-1).
Paradise Gold Mines Company, Denver, Colo. (2-107-1).
Speculative Investment Trust, Fort Worth, Texas (2-111-1).
Third Investment Counsel Corporation, Boston, Mass. (2-106-1).
F. G. Vogt & Sons, Inc., Philadelphia, Pa. (2-104-1).

REAL ESTATE NOTES AND BONDS EXEMPT

The Federal Trade Commission on July 27 adopted a rule exempting from the requirements of registration under the Securities Act of 1933 certain securities regarding which enforcement of the registration provisions does not appear to be necessary in the public interest nor for the protection of investors, because of the small amounts involved and the limited character of the public offering.

These exemptions are made under authority of Section 3(b) of the Securities Act providing that the Commission may add any class of securities to those exempted by the act if it finds that enforcement of the act with respect to such securities is not necessary in the public interest and for protection of investors.

The exempted securities are notes or bonds directly secured by first mortgage or deed of trust on a contiguous plot of real estate or on a leasehold which is other than for oil, gas or mining.

Two classes of such securities are designated as follows:

First, there is the transaction where the entire mortgage or deed of trust is transferred with the entire amount of notes or bonds o a single purchaser at a single sale.

Second, there is the transaction where the notes or bonds secured by the mortgage or deed of trust are transferred to more than one of trust is transferred with the entire amount of notes or bonds to secured not to exceed 25.

INTERPRETATIONS OF PRA

Members of the NAB were sent a special Bulletin this week containing official interpretations of the President's Reemployment Agreement. They are reproduced here, along with a supplement to Interpretation No. 1, in order that they may become a part of NAB REPORTS. Future Interpretations likewise will be published for the benefit of members.

Interpretation No. 1 (concerning paragraph 7)

Paragraph 7 means, first, that compensation of employees above the minimum wage group (whether now fixed by the hour, day, week, or otherwise) shall not be reduced, either to compensate the employer for increase that he may be required to make in the minimum wage group in order to comply with the Agreement, or to turn this Reemployment Agreement into a mere share-the-work movement without a resulting increase of total purchasing power. This first provision of paragraph 7 is a general statement of what shall *not* be done.

The rest of paragraph 7 is a particular statement of what *shall* be done, which is that rates of pay for employees above the minimum wage group shall be increased by "equitable readjustments." No hard and fast rule can be laid down for such readjustments, because the variations in rates of pay and hours of work would make the application of any formula unjust in thousands of cases. We present, however, the following examples of the need for and methods of such readjustments:

Example 1. Employees now working forty hours per week in factories. When hours are reduced to thirty-five, the present rate per hour if increased one-seventh would provide the same compensation for a normal week's work as before.

Example 2. Employees now working sixty hours per week in factories. When hours are reduced to thirty-five, a rate per hour if increased one-seventh might be insufficient to provide proper compensation. But, to increase the rate by five-sevenths, in order to provide the same compensation for thirty-five hours as previously earned in sixty, might impose an inequitable burden on the employer. The sixty-hour week might have been in effect because of a rush of business, although a forty-hour week might have been normal practice at the same hourly wage. Seasonal or temporary increases in hours now in effect, or recent increases in wages, are proper factors to be taken into consideration in making equitable readjustments.

The policy governing the readjustment of wages of all employees in what may be termed the higher wage groups requires, not a fixed rule, but "equitable readjustment" in view of long standing differentials in pay schedules; with due regard for the fact that payrolls are being heavily increased, and that employees will receive benefits from shorter hours, from the reemployment of other workers, and from stabilized employment which may increase their yearly earnings.

The foregoing examples indicate the necessity of dealing with this problem of "equitable readjustment" of the higher rates of pay, on the basis of consideration of the varying circumstances and conditions of the thousands of enterprises and employments involved. Any attempt to define a national standard would be productive of widespread injustice. The National Recovery Administration will, through local agencies, observe carefully the manner in which employers comply with their Agreement to make "equitable readjustments," and will take from time to time and announce from Washington such action as may be necessary to correct clear cases of unfairness and to aid conscientious employers in carrying out in good faith the terms of the Agreement.

When an employer signs an agreement and certifies his compliance *and also joins in the submission of a Code of Fair Competition* before September 1, 1933, his determination of what are "equitable readjustments" should be accepted, at least prior to September 1, as a prima facie compliance with his agreement, pending action by NRA upon the Code submitted, or any other action by NRA taken to insure proper interpretation or applications of agreements. This will afford NRA an opportunity to survey the general results of the Reëmployment Program and to iron out difficulties and misunderstandings over agreements that are of a substantial character.

Supplementing Interpretation No. 1

Paragraph 7 prevents the reduction of compensation in excess of the minimum, whether it is paid by the hour, day, week, or month.

Therefore, an employee previously paid by the day, week, or month will receive as much for the shorter day, week, or month.

An employee previously paid by the hour will receive as much per hour, but as shortening his hours will reduce his actual earnings per day or week his compensation per hour is to be increased by an equitable readjustment.

There is no fixed rule which can be applied to determine what is an equitable readjustment. In general, it will be equitable to figure what the employee would have earned at his previous rate per hour in a normal week in the industry, and then to increase the hourly rate so as to give him substantially the same compensation as he would have gotten that normal week. But consideration must be given to other factors, including: Is the existing rate high or low compared with the average rate paid in the industry? Will the resulting adjustment result in an unfair competitive advantage to other employers or other trades or industries? Will a long-standing wage differential be lost if there is no increase in the existing rate?

(4) Where an employer is bound by the terms of a contract with a labor organization entered into as the result of bona fide collective bargaining and he is unable to effect a change in such contract by agreement in order to comply with the terms of the President's Reëmployment Agreement, he may certify his compliance with the President's Agreement with the following exception: "except as required to comply with the terms of agreement in effect between the undersigned and........................(name of organization).

It should be understood that this exception can be made only in the case of a contract not subject to change at the discretion of the employer and then only after a certified copy of the contract has been filed with the National Recovery Administration and its approval has been given to the exception stated.

Interpretation No. 2 (concerning paragraph 14)

A person who believes that some particular provision in the Agreement, because of peculiar circumstances, will create great and unavoidable hardship, should prepare a petition to NRA asking for a stay of this provision as to him. He should then submit this petition to the trade association of his industry, or if there is none, to the local Chamber of Commerce or similar representative organization designated by NRA, for its approval. The written approval of the trade association, or such other organization, will be accepted by NRA as the basis for a temporary stay, without further investigation, pending decision by NRA. The petition must contain a promise to abide by NRA's decision, so that if NRA decides against the petitioner, he must give effect to the provision which was stayed, from the date of the decision of NRA.

The petition and approval of the trade association or other organization, as prescribed above, should be forwarded to NRA in Washington; and the employer's signed copy of the President's Reemployment Agreement should be sent to the District Office of the Department of Commerce. After complying with these requirements the employer will be entitled to receive and display the Blue Eagle by delivering his certificate of compliance to his post office.

Paragraph 14 is not intended to provide for group exceptions, but only to meet cases of individual hardship.

Interpretation No. 3 (concerning date of compliance)

It is expected that all employers desiring to cooperate with the President's recovery program will sign the Agreements promptly and mail them in. It is recognized, however, that it will be physically impossible in many instances to adjust employment conditions and to hire the necessary additional personnel in order to comply with the Agreement on August 1. For that reason provision has been made for issuing the Blue Eagle only upon the filing of a certificate of compliance. It should be possible in most cases to make the necessary adjustments and file a certificate of compliance within the first week of August, and such action, taken as promptly as possible, will be regarded as carrying out the Agreement in good faith.

Interpretation No. 4 (concerning paragraph 13)

All employers are expected to sign the Agreement, whether Codes have been submitted to the NRA or not (unless such Codes have already been approved); but after the President has approved a Code, or after NRA has approved of the substitution of the provisions of a Code for Agreements in the trade or industry covered, conformity with the Code provisions by an employer will be regarded as compliance with his individual Agreement.

Interpretation No. 5 (concerning paragraph 9)

Where the July 1, 1933, price was a distress price, the employer signing the Agreement may take his cost price on that date as the base for such increase in selling price as is permitted by paragraph 9.

Interpretation No. 6 (concerning employments covered by the Agreement)

The following groups of employment are not intended to be covered by the President's Reemployment Agreement:

1. Professional occupations.
2. Employees of Federal, State and local governments and other public institutions and agencies.
3. Agricultural labor.
4. Domestic servants.
5. Persons buying goods and selling them independently or persons selling solely on commission, provided, however, that persons regularly employed to sell on commission, with a base salary or guaranteed compensation, come within the requirements of the agreement.

Interpretation No. 7 (concerning paragraph 4)

Time and a Third for Hours Worked in Excess of the Maximum by Employees on Emergency Maintenance and Repair Work

Hours worked in excess of the maximum by employees on emergency maintenance or repair work shall be paid at the rate of time and one-third.

Interpretation No. 8 (concerning paragraph 2)

Seasonal Reduction of Hours of Operation

The hours of any store or service operation may be reduced below the minimum specified in paragraph 2 if the reduction is in accordance with a practice of seasonal reduction of hours and does not result in reduction of the weekly pay of employees.

Interpretation No. 9 (concerning the minimum wage for apprentices)

The minimum wage provisions of the Agreement do not apply to apprentices if under contract with the employer on August 1, 1933, but no one shall be considered an apprentice within the meaning of this Interpretation who has previously completed an apprenticeship in the industry.

Interpretation No. 10 (concerning the minimum wage for part-time workers)

The minimum wage for a part-time worker in an employment described in Paragraph 2 of the Agreement is a wage such that if the employee worked at that wage for a full week of 40 hours he would receive the minimum weekly wage prescribed for him by the Agreement. The minimum wage for a part-time worker in an employment described in Paragraph 3 of the Agreement is the minimum wage per hour prescribed in Paragraph 6 of the Agreement.

Interpretation No. 11 (concerning maximum hours of store operation)

The Agreement imposes no limitation on the maximum hours of operation of a store or service.

Interpretation No. 12 (concerning employments included in paragraph 2)

The following are among the employments included in Paragraph 2:

Beauty parlor operators
Elevator operators
Restaurant workers
Barbers
Drivers
Janitors
Dish washers
Delivery men
Watchmen
Porters
Filling station operators.

COPYRIGHTING RADIO SCRIPTS

Dramatic compositions or radio scripts may be registered in the Copyright Office of the Library of Congress. The rules of the Copyright Office provide that a dramatic composition not reproduced in copies for sale may be registered upon the execution of Form D2 which requires that one complete copy be forwarded and upon the payment of a registration fee of $1.00. Forms and instructions for the registration of dramatic compositions may be secured by writing the Copyright Office, Library of Congress, Washington, D. C.

"If the work is not to be reproduced in copies for sale," says the regulation, "one complete typewritten copy may be sent to the Copyright Office with an application for registration and the statutory fee of $1.00. Use for this purpose Form D2.

"If such work is afterwards reproduced in copies for sale, however, deposit must again be made of two copies of the best edition published promptly after such publication with fee and application for a second registration.

"If therefore, a dramatic work is intended to be reproduced in copies for sale, the duplicate registration may be avoided by deferring registration until after publication, until which time protection against infringement is secured under the provisions of Section 2 of the Copyright Act of March 4, 1904, which reads as follows:

" 'Section 2. That nothing in this act shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor.' "

SHAW APPOINTED TO STATE BOARD

Harry Shaw, WMT, Waterloo, Iowa, former president of the NAB, was appointed by General Hugh S. Johnson on August 1, to be a member of the Iowa State Recovery Board consisting of nine members.

COMMISSIONER BROWN LEAVES

Radio Commissioner Thad H. Brown, left Washington for a combination vacation and inspection trip on Friday. He will not return until the early part of September. This leaves Commissioner Hanley the only member of the Commission now in Washington. Commissioner Lafount, who has been away since early in July, is expected to return on August 9.

"TEACHING BY RADIO" OFF THE PRESS

"The Art of Teaching by Radio," a highly instructive treatise on the subject of broadcast teaching prepared by Dr. Cline M. Koon, senior specialist in education by radio, U. S. Office of Education, is just off he press.

The book discusses authoritatively the possible forms of broadcasts, preparation of broadcasts, enlisting and assisting listeners, presentation of broadcasts and contains an excellent bibliography of material sources.

The work was undertaken by the U. S. Office of Education, several months ago in cooperation with the NAB and the Association of College and University Stations.

The book may be secured from the United States Government Printing Office, Washington, D. C., at a cost of 10 cents per copy and will be a valuable addition to every broadcasters and teachers library.

A. F. OF M. OFFERS FREE NRA MUSIC

Free music is to be furnished for mass meeting held in connection with the President's re-employment campaign. Joseph N. Webber, president of the American Federation of Musicians today advised the 148,000 members of his organization that they should co-operate wholeheartedly in the drive. His message addressed to "all local unions," follows:

"No doubt your local is aware of the fact that the government is arranging speaking and publicity drives in all cities to put over its blanket code plan. For this purpose mass meetings or some other functions may be arranged. So that our organization—I know you will agree to this—may do its mite in the campaign which has for its purpose the raising of our country out of the economic misery to which it has been subjected these last four years; your local is urged and requested to furnish a band (mass band if possible) to render services at such mass meetings or functions as our contribution to the efforts of the government to make its drive on behalf of its blanket code plan successful.

"The government will leave the matter in the hands of Local Arrangement Committees, and your local is advised to assist the committee of your city by furnishing a band or bands for the purposes above explained.

"Kindly acknowledge receipt of this communication so as to place this office in a position to advise the government of the number and names of the participating locals."

FAN MAIL RULING CLARIFIED

Several inquiries have been received at NAB headquarters relative to the application of the Post Office Department's ruling relating to the forwarding of fan mail. The ruling by the Solicitor of the Department was given in a letter to the NAB Managing Director, which was circulated among stations but several questions have arisen relative to its applicability.

In order to clarify the situation Postmasters now have been advised by the Third Assistant Postmaster General's office that "audience" or "fan" mail, prepaid at first-class rates of postage when originally sent to broadcasting stations may thereafter, if it has not been opened, be remailed to other points in bulk at the third or fourth-class rate of postage, according to the weight of the packages, whether remailed to the headquarters or other stations of the radio broadcasting systems, or to advertising agencies, or the sponsors or advertisers, irrespective of whether the letters are to be opened finally by the persons or concerns to whom they are so remailed in bulk.

RMA SUBSTITUTE CODE APPROVED

Two important sections of the code of fair competition filed this week by the Radio Manufacturers Association were approved by the National Recovery Administration as substitutes for labor provisions in the President's Reemployment Agreement during the week. With the approval of these substitute provisions, radio manufacturers may execute the President's Agreement, taking the advantages given in these substitute provisions which in reality become a part of the blanket code as it applies to the radio manufacturing industry.

WEAO BECOMES WOSU

Col. Thad H. Brown, acting chairman of the Radio Commission, officially advised Ohio State University that the Commission had approved a change in the call letters of its broadcast station from WEAO to WOSU. Colonel Brown is an alumnus of Ohio State University.

NO LOUD-SPEAKER JURISDICTION

In reply to numerous complaints, inquiries and suggestions relative to the use of loud speakers during the summer months, Commissioner Thad H. Brown, Acting Chairman of the Federal Radio Commission, today issued the following statement:

"At this time we are being petitioned by many 'distracted' listeners for relief from loud speakers operating late in the night. Many complainants charge they are on the verge of nervous prostration, being unable to get needed rest.

"Because of the tremendous demand of the vast majority of the listening public, the Commission has designated the broadcast day as that period from 6 a. m. to 12 midnight. But, as some complainants point out, it is possible for a loud speaker to be operated all night, giving forth programs from distant stations, operating within their lawful time. Reducing the hours in the broadcasting day would not therefore solve the problem.

"So there is little or nothing the Commission can do about this matter under the circumstances, other than suggest to listeners that they apply the Golden Rule, and show the proper consideration for their neighbors.

"Certainly at this season when it is necessary to keep doors and windows open, all radio receiving sets should be tuned down very low, so that the signals will be confined to a very limited area. Low, soft tones are, in many respects, much more satisfying and desirable than loud, harsh ones.

"In all communities the police have authority to eliminate public nuisances. Many towns, villages and cities have enacted ordinances which are proving very effective in limiting the operation of loud speakers. Broadcasting stations might help the situation by suggesting to listeners that they tune down their sets when they use them during late hours."

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

August 9, 1933

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special experimental authority to change from 100 watts, **1210 kc.**, unlimited time, to 250 watts, **630 kc.**, unlimited time.

APPLICATIONS GRANTED

First Zone

WMCA—Knickerbocker Broadcasting Co., Inc., New York City—Granted modification of license to change hours of operation from sharing with WPCH to unlimited; to consolidate WMCA and WPCH, then delete WPCH.

Second Zone

WSAI—Crosley Radio Corporation, Cincinnati, Ohio—Granted authority to use directional antenna installed under special authority and construction permit on present power; 500 watts night, 1 KW day, **1330 kc.**

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special authority to operate 9 a. m. to 11:30 a. m., 1:30 to 5:30 p. m., and 8:30 to 9:30 p. m., CST, on August 4.

Third Zone

WKBC—R. B. Broyles Furniture Co., Birmingham, Ala.—Granted authority to operate transmitter without approved frequency monitor provided frequency is maintained, pending repair of monitor.

WKBU—Allen Wright Marshall, Jr., Allen Wright Marshall, Sr., and Guy Aaron Malcolm, LaGrange, Ga.—Granted license covering erection of new station; **1500 kc.**, 100 watts, specified hours.

Fourth Zone

WCFL—Chicago Federation of Labor, Chicago Ill.—Granted modification of construction permit extending completion date from Sept. 1, 1933, to March 1, 1934.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate certain specified hours.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted modification of license to use old main transmitter as auxiliary; **560 kc.**, 1 KW.

Fifth Zone

KFWI—Radio Entertainments, Ltd., San Francisco, Calif.—Granted extension of authority to remain silent for 30 additional days from July 31.

APPLICATIONS SET FOR HEARING

NEW—Wyoming Broadcasting Co., Cheyenne, Wyo.—Construction permit for new station to use **780 kc.**, 500 watts night, 1 KW day, unlimited time.

KGIZ—Grant City Park Corp., Springfield, Mo.—Consent to voluntary assignment of construction permit to KGBX, Inc.

WLCI—Lutheran Association of Ithaca, Ithaca, N. Y.—Renewal of license, **1210 kc.**, 50 watts, specified hours.

WSBC—WSBC, Inc., Chicago, Ill.—Construction permit to move transmitter and studio from Chicago to Hammond, Ind.; install new equipment; change frequency from **1210 kc.** to **1360 kc.**; increase power from 100 watts to 1 KW night, 1¼ KW day; change specified hours to sharing with WGES 4/7 time (facilities formerly assigned to WJKS).

APPLICATIONS DENIED

WSPD—Toledo Broadcasting Co., Toledo, Ohio—Denied authority to operate experimentally on frequency of **590 kc.** with 1 KW, from 3 to 5 a. m., CST, August 15, 16 and 17.

WHBC—Edward P. Graham, Canton, Ohio—Denied authority to operate simultaneously with WNBO August 7, 9 to 10 p. m. Also denied authority to operate with WNBO August 8, 9 p. m. to 12 midnight.

MISCELLANEOUS COMMISSION ACTION

KFOR—Howard A. Shuman, Lincoln, Nebr.—Application to assign license to Cornbelt Broadcasting Corp., granted on May 9, was retired to closed files for want of prosecution.

KWLC—Luther College, Decorah, Iowa—Application for voluntary assignment of license to Telegraph Herald dismissed at request of applicant.

KWLC—Telegraph Herald, Dubuque, Iowa—Construction permit to transfer KWLC from Decorah to Dubuque, dismissed at request of applicant.

APPLICATIONS RECEIVED

First Zone

WLEY—Albert S. Moffat, Lexington, Mass.—Construction permit to move transmitter and studio from Adams St., Lexington, Mass., to 8 Merrimack St., Lowell, Mass., and change hours of operation from specified to unlimited.

Second Zone

NEW—The State Journal Co., Lansing, Mich.—Construction permit for new station to use **1210 kc.**, 100 watts, night, 250 watts to local sunset, unlimited time.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Special experimental authorization to operate with 500 watts power on experimental basis, in addition to 500 watts regular power for period 8-1-33 to 2-1-34.

Third Zone

WGCM—Great Southern Land Co., Grace Jones Stewart, Gulfport, Miss.—Construction permit to install new equipment, increase power from 100 watts to 100 watts night, 250 watts daytime, and increase specified hours.

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to change frequency from **1200 kc.** to **1500 kc.**, move transmitter and studio from Huntsville, Ala., to a site to be determined in Durham, N. C., and increase hours of operation from 6/7 time to unlimited time.

WSOC—WSOC, Inc., Gastonia, N. C.—Modification of construction permit granted 6-23-33 to move transmitter and studio to Charlotte, N. C., and change equipment for approval of exact transmitter and studio location at 516 W. Trade St., Charlotte, N. C., and extend dates of commencement and completion.

WJBW—Chas. C. Carlson, New Orleans, La.—Construction permit to move transmitter and studio locally.

KGRS—E. B. Gish (Gish Radio Service), University Park, Dallas, Texas—Construction permit for new station to use **940 kc.**, 250 watts, unlimited time.

Fourth Zone

None.

Fifth Zone

KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to change hours of operation from daytime to unlimited.

APPLICATIONS RETURNED

NEW—Pecan Valley Broadcasting Co. (Walter J. Stewart, Pres.), Brownwood, Texas—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time. (Application not in duplicate, insufficient information on equipment and proposed transmitter location.)

NEW—C. G. Philips and Frank Hill, d/b as Boise Bradcast Station, Baker, Ore.—Construction permit for new station to use **1210 kc.**, 100 watts, daytime. (Rule 6, and insufficient information on proposed transmitter location.)

KJBS—Julius Brunton and Sons Co., San Francisco, Calif.—Special experimental authorization to operate from 12:01 a. m. to 6:30 p. m. daily, with 100 watts power. (Rules 6 and 116.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS * * * * *

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AUG. 12, 1933

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THE HONOR ROLL OF BROADCAST STATIONS

The stations listed below have signed and returned to NAB Headquarters the following pledge of cooperation:

> "I pledge the cooperation of Station —— to the National Recovery Administration in the campaign to arouse popular support for President Roosevelt's undertaking to create jobs for the jobless and end unemployment for as many as possible in the quickest possible time."

The list is complete as of 5 p. m. Friday, August 11, although each mail brings in additional pledges. If for any reason you did not receive a copy of the pledge, or it has become lost, write NAB Headquarters and copies will be supplied. This list includes 450 stations.

NETWORKS

Columbia Broadcasting System
National Broadcasting Company
Yankee Network
Don Lee Broadcasting System

FIRST ZONE

Connecticut
WICC, Bridgeport
WDRC, Hartford
WTIC, Hartford

Delaware
WDEL, Wilmington

District of Columbia
WMAL, Washington
WOL, Washington
WRC, Washington

Maine
WRDO, Augusta
WABI, Bangor
WCSH, Portland
WAGM, Presque Isle

Maryland
WBAL, Baltimore
WCAO, Baltimore
WCBM, Baltimore
WFBR, Baltimore
WTBO, Cumberland

Massachusetts
WAAB, Boston
WBZ, Boston
WBZA, Boston
WEEI, Boston
WHDH, Boston
WLOE, Boston
WNAC, Boston
WSAR, Fall River
WLEY, Lexington
WNBH, New Bedford
WBSO, Needham
WMAS, Springfield
WORC, Worcester
WTAG, Worcester

New Hampshire
WHEB, Portsmouth

New Jersey
WCAP, Asbury Park
WPG, Atlantic City
WCAM, Camden
WAAT, Jersey City
WHOM, Jersey City
WAAM, Newark
WOR, Newark
WODA, Paterson
WJBI, Red Bank
WTNJ, Trenton
WAWZ, Zarephath

New York
WOKO, Albany
WMBO, Auburn
WNBF, Binghamton
WARD, Brooklyn
WLTH, Brooklyn
WMBQ, Brooklyn
WMIL, Brooklyn
WBEN, Buffalo
WEBR, Buffalo
WGR, Buffalo
WKBW, Buffalo
WGNY, Chester Twp.
WESG, Elmira
WGLC, Glen Falls
WOCL, Jamestown
WABC, New York
WCDA, New York
WEAF, New York
WEVD, New York
WHN, New York
WMCA, New York
WNYC, New York
WOV, New York
WHAM, Rochester
WHEC, Rochester
WNBZ, Saranac Lake
WFBL, Syracuse
WHAZ, Troy
WIBX, Utica
WFAS, White Plains
WWRL, Woodside

Puerto Rico
WKAQ, San Juan
WNEL, San Juan

Rhode Island
WEAN, Providence
WJAR, Providence
WPRO, Providence

Vermont
WCAX, Burlington
WSYB, Rutland
WNBX, Springfield
WDEV, Waterbury

SECOND ZONE

Kentucky
WCKY, Covington
WFIW, Hopkinsville
WHAS, Louisville
WLAP, Louisville
WPAD, Paducah

Michigan
WHDF, Calumet
WJR, Detroit
WMBC, Detroit
WWJ, Detroit
WXYZ, Detroit
WKAR, East Lansing
WFDF, Flint
WASH, Grand Rapids
WOOD, Grand Rapids
WJBK, Highland Park
WJMS, Ironwood
WIBM, Jackson
WKZO, Kalamazoo
WMPC, Lapeer
WKBZ, Ludington

Ohio
WJW, Akron
WHBC, Canton
WFBE, Cincinnati
WKRC, Cincinnati
WLW, Cincinnati
WSAI, Cincinnati
WGAR, Cleveland
WJAY, Cleveland
WHK, Cleveland
WTAM, Cleveland
WAIU, Columbus
WCAH, Columbus
WOSU, Columbus
WSEN, Columbus
WSMK, Dayton
WHBD, Mt. Orab
WADC, Tallmadge
WSPD, Toledo
WKBN, Youngstown

Pennsylvania
WCBA, Allentown
WFBG, Altoona
WLBW, Erie
WIBG, Glenside
WSAJ, Grove City
WCOD, Harrisburg
WHP, Harrisburg
WAZL, Hazleton
WJAC, Johnstown
WGAL, Lancaster
WKJC, Lancaster
WCAU, Philadelphia
WDAS, Philadelphia
WFI, Philadelphia
WHAT, Philadelphia
WIP, Philadelphia
WLIT, Philadelphia
WPEN, Philadelphia
WRAX, Philadelphia
WTEL, Philadelphia
KDKA, Pittsburgh
KQV, Pittsburgh
WJAS, Pittsburgh
WWSW, Pittsburgh
WEEU, Reading
WRAW, Reading
WGBI, Scranton
WQAN, Scranton
WNBO, Silver Haven
WBRE, Wilkes-Barre
WRAK, Williamsport
WORK, York

Virginia
WJSV, Alexandria
WBTM, Danville
WLVA, Lynchburg
WGH, Newport News
WTAR, Norfolk
WPHR, Petersburg
WMBG, Richmond
WRVA, Richmond
WDBJ, Roanoke
WRBX, Roanoke

West Virginia
WMNN, Fairmont
WSAZ, Huntington
WWVA, Wheeling

THIRD ZONE

Alabama
WAPI, Birmingham
WBRC, Birmingham
WBHS, Huntsville
WODX, Mobile
WSFA, Montgomery
WHET, Troy

Arkansas
KUOA, Fayetteville
KFPW, Fort Smith
KTHS, Hot Springs
KARK, Little Rock
KGHI, Little Rock

KLRA, Little Rock
KCMC, Texarkana

Florida

WQAM, Miami
WDBO, Orlando
WCOA, Pensacola
WDAE, Tampa

Georgia

WENC, Americus
WGST, Atlanta
WSB, Atlanta
WRDW, Augusta
WKEV, LaGrange
WMAZ, Macon
WJTL, Oglethorpe U.
WFDV, Rome
WTOC, Savannah

Louisiana

KMLB, Monroe
WBBX, New Orleans
WDSU, New Orleans
WSMB, New Orleans
WWL, New Orleans
KRMD, Shreveport
KTBS, Shreveport
KWEA, Shreveport
KWKH, Shreveport

Mississippi

WKFI, Greenville
WJDX, Jackson
WHEF, Kosciusko
WCOC, Meridian
WGCM, Mississippi City
WQBC, Vicksburg

North Carolina

WWNC, Asheville
WBT, Charlotte
WSOC, Gastonia
WBIG, Greensboro
WPTF, Raleigh
WRAM, Wilmington
WSJS, Winston-Salem

Oklahoma

KOCW, Chickasha
KCRC, Enid
KFXR, Oklahoma City
KGFG, Oklahoma City
WBBZ, Ponca City
KGFF, Shawnee
KVOO, Tulsa

South Carolina

WIS, Columbia
WFBC, Greenville
WSPA, Spartanburg

Tennessee

WOPI, Bristol
WDOD, Chattanooga
WTJS, Jackson
WNOX, Knoxville
WROL, Knoxville
WHBQ, Memphis
WMC, Memphis
WNBR, Memphis
WREC, Memphis
WLAC, Nashville
WSM, Nashville
WSIX, Springfield

Texas

KGRS, Amarillo
KNOW, Austin
KGFI, Corpus Christi
KRLD, Dallas
WFAA, Dallas
WRR, Dallas
KFPL, Dublin
KTSM, El Paso
WDAH, El Paso
KFJZ, Fort Worth
KTAT, Fort Worth
KLUF, Galveston
KFPM, Greenville
KRGV, Harlington
KPRC, Houston
KTRH, Houston
KFYO, Lubbock
KGKL, San Angelo
KABC, San Antonio
KMAC, San Antonio
KONO, San Antonio
KTSA, San Antonio
KGKB, Tyler
WACO, Waco
KGKO, Wichita Falls

FOURTH ZONE

Illinois

WCAZ, Carthage
KYW, Chicago
WAAF, Chicago
WBBM, Chicago
WCFL, Chicago
WCRW, Chicago
WEDC, Chicago
WGES, Chicago
WGN, Chicago
WMAQ, Chicago
WENR, Chicago
WSBC, Chicago
WEHS, Cicero
WHFC, Cicero
WKBI, Cicero
WJBL, Decatur
WEBQ, Harrisburg
WCLS, Joliet
WKBB, Joliet
WJBC, LaSalle
WJJD, Mooseheart
WMBD, Peoria
WTAD, Quincy
KFLV, Rockford
WHBF, Rock Island
WCBS, Springfield
WTAX, Springfield
WDZ, Tuscola

Indiana

WHBU, Anderson
WKBV, Connersville
WTRC, Elkhart
WGBF, Evansville
WOWO, Fort Wayne
WIND, Gary
WKBF, Indianapolis
WLBC, Muncie
WBOW, Terre Haute

Iowa

WOI, Ames
KWCR, Cedar Rapids
KOIL, Council Bluffs
WOC, Davenport
KGCA, Decorah
KWLC, Decorah
KSO, Des Moines
WHO, Des Moines
WSUI, Iowa City
KFJB, Marshalltown
WIAS, Ottumwa
KSCJ, Sioux City
WMT, Waterloo

Kansas

KFBI, Abilene
KGGF, Coffeyville
WLBF, Kansas City
KFKU, Lawrence
WREN, Lawrence
KFH, Wichita

Minnesota

KGDE, Fergus Falls
WCCO, Minneapolis
WDGY, Minneapolis
WRHM, Minneapolis
KGFK, Moorhead
WCAL, Northfield
KSTP, Minnesota

Missouri

KFVS, Cape Girardeau
KFUO, Clayton
KFRU, Columbia
WOS, Jefferson City
WMBH, Joplin
KMBC, Kansas City
KWKC, Kansas City
WDAF, Kansas City
WOQ, Kansas City
KFEQ, St. Joseph
KMOX, St. Louis
KWK, St. Louis
WEW, St. Louis
WIL, St. Louis
KGBX, Springfield

Nebraska

KMMJ, Clay Center
KGFW, Kearney
KFAB, Lincoln
WJAG, Norfolk
KGNF, North Platte
WAAW, Omaha
WOW, Omaha
KGKY, Scottsbluff

North Dakota

KFYR, Bismarck
WDAY, Fargo
KGCU, Mandan

South Dakota

KFDY, Brookings
KGFX, Pierre
KSOO, Sioux Falls
KUSD, Vermillion
WNAX, Yankton

Wisconsin

KFIZ, Fond du Lac
WHBY, Green Bay
WCLO, Janesville
WKBH, La Crosse
WHA, Madison
WHAD, Milwaukee
WTMJ, Milwaukee
WRJN, Racine
WHB, Sheboygan
WLBL, Stevens Point
WEBC, Superior

FIFTH ZONE

Arizona

KOY, Phoenix
KGAR, Tucson
KVOA, Tucson
KUMA, Yuma

California

KMPC, Beverly Hills
KIEM, Eureka
KIEV, Glendale
KFWB, Hollywood
KFOX, Long Beach
KGER, Long Beach
KFAC, Los Angeles
KFSG, Los Angeles
KFVD, Los Angeles
KGFJ, Los Angeles
KHJ, Los Angeles
KNX, Los Angeles
KRKD, Los Angeles
KLS, Oakland
KFXM, San Bernardino
KFSD, San Diego
KGB, San Diego
KFRC, San Francisco
KGO, San Francisco
KJBS, San Francisco
KPO, San Francisco
KTAB, San Francisco
KQW, San Jose
KREG, Santa Ana
KDB, Santa Barbara
KGDM, Stockton
KWG, Stockton

Colorado

KFEL, Denver
KFXF, Denver
KLZ, Denver
KPOF, Denver
KIDW, Lamar
KGHF, Pueblo
KGIW, Trinidad

Idaho

KIDO, Boise
KID, Idaho Falls
KFXD, Nampa
KSEI, Pocatello

Montana

KGHL, Billings
KGIR, Butte
KFBB, Great Falls
KTFI, Twin Falls
KGEZ, Kalispell
KGVO, Missoula

Nevada

KGIX, Las Vegas
KOH, Reno

New Mexico

KGGM, Albuquerque
KICA, Clovis
KGFL, Raton

Oregon

KOAC, Corvallis
KORE, Eugene
KFJI, Klamath Falls
KOOS, Marshfield
KMED, Medford
KALE, Portland
KEX, Portland
KGW, Portland
KOIN, Portland
KWJJ, Portland
KXL, Portand

Utah

KLO, Ogden
KDYL, Salt Lake City

Washington

KXRO, Aberdeen
KVOS, Bellingham
KFBL, Everett
KGY, Olympia
KJR, Seattle
KOL, Seattle
KOMO, Seattle
KPCB, Seattle
KRSC, Seattle
KTW, Seattle
KVL, Seattle
KFIO, Spokane
KFPY, Spokane
KHQ, Spokane
KVI, Tocoma
KUJ, Walla Walla
KPQ, Wenatchee

Wyoming

KDFN, Casper

NAB CODE COMMITTEE MEETS

The Committee of the NAB charged with drafting a code for broadcasters will hold a meeting at Hotel St. Regis, New York, Monday, August 14.

The Committee meeting will be open to all broadcasters who desire to present facts and figures which will be helpful in developing a code. Through questionnaires sent out from NAB Headquarters much detailed information on hours of labor and wages has been collected and this will be presented to the committee for its consideration.

President McCosker is chairman of the Committee which is being expanded to include representatives from all classes of stations and all sections of the country.

It is the plan of the Committee to work as speedily as possible and to have the code in shape for submission at the earliest possible date. The procedure to be followed in obtaining approval of all broadcasters will be decided upon at the meeting.

Just as soon as the code is submitted a deputy administrator will be designated to handle the code for the NRA.

MEXICAN CONFERENCE BREAKS UP

The North American Radio Conference broke up this week without having arrived at an agreement with respect to the allocation of frequencies between 550 kc. and 1500 kc. The conference began its deliberations on July 10.

The Delegates of the United States left Mexico City on Friday and will return to Washington early next week.

The only agreement affecting broadcasting involves a promise on the part of Mexico to adhere to the ten kilocycle separation between channels and to enforce a fifty cycle deviation tolerance.

Information from the conference has been meager and it is not known at this time whether or not the basis has been laid for further discussions between this country and Mexico with respect to problems common to both countries.

LAFOUNT CRITICIZES PRICE CUTTING

Rate chiseling practices were condemned by Commissioner Harold A. Lafount upon his return to Washington this week from an extended inspection trip.

"New contracts for the sale of time already signed insure the successful operation of almost all Western radio broadcasting stations during the coming fall and winter," Commissioner Harold A. Lafount said.

Mr. Lafount sounded a loud note of optimism regarding the financial outlook for radio stations, and expressed gratification over the disposition of licensees to cooperate willingly and anxiously in the work of the NRA.

During the period of unsatisfactory business conditions, Mr. Lafount observed, broadcasters in the Western and Pacific Coast states have suffered financially, although generally speaking they have maintained a high standard of programs. The sacrifices on the part of broadcasters are keenly appreciated by the listening public. He added:

"The general trend, particularly on the part of the smaller stations, has been towards transcriptions, and high class recorded programs, although many stations present 'live talent' programs almost exclusively."

Mr. Lafount denounced price cutting which he said is engaged in by only a few stations he visited and severely criticized the practice of stations selling time on the basis of payment per inquiry. This, he declared, in his personal opinion, to be unethical, and unfair competition and engaging by stations in business other than that of advertising by radio and broadcasting.

Mr. Lafount also commented upon the fact that in a number of states, the smaller stations are organizing state units.

In referring to long sales talks by advertisers, Mr. Lafount said: "It is an exception rather than the rule and many stations will not permit lengthy sales talks."

Mr. Lafount was loud in his praise of the equipment used by Western stations, saying: "It is interesting to note the trend towards improved antennae. Everywhere stations are studying this question with a view to making such changes in antennae as may increase their signals and service areas. Station owners generally are so pleased with the results of their new monitoring equipment that they are now seeking improvements along other lines, and the trend at the moment is towards improved antennae."

Mr. Lafount is more enthusiastic than ever before over the American radio system and is convinced it is far superior to that of any other country.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Arizona Comstock Corporation, Virginia City, Nev. (2-112-1).
Black's Gold Mining Company, Inc., Tacoma, Wash. (2-118-1).
Columbia Systems, Inc., Washington, D. C. (2-123-1).
Consolidated Mines Syndicate, Boise, Ida. (2-127-1).
Fulton Industrial Securities Corp., Atlanta, Ga. (2-121-1).
Itep Corporation, New York City (2-119-1).
Investors Independence Corp., Denver, Colo. (2-125-1).
Le Roi Cinnabar Mines, Inc., Minneapolis, Minn. (2-115-1).
Mt. Kelso Consolidated Mining Co., Georgetown, Colo. (2-122-1).
Northwestern Ceramic Corporation, Seattle, Wash. (2-124-1).
Premier Shares, Inc., Philadelphia, Pa. (2-128-1).
Redemption Gold Corp., Denver, Colo. (2-116-1).
Spencer Trask Fund, Inc., New York City (2-120-1).
State Loan Company, Mt. Rainier, Md. (2-126-1).
E. H. Thiell, Trustee, El Paso, Texas (2-117-1).
Washington Bar Gold Mining Co., Butte, Mont. (2-114-1).
Yuba Oil Company, New York City (2-113-1).
American Manufacturing & Mining Corp., Torrington, Wyo. (2-131-1).
Bankers Mortgage Corporation of Pittsburgh, Pa. (2-129-1).
The Mountain States Oil Corp., Denver, Colo. (2-130-1).
Transport Refining Company, Beverly Hills, Cal. (2-131-1).

RECOMMENDS NEW PUERTO RICO STATION

Application was filed by Juan Piza for a construction permit for a new broadcasting station at San Juan, Puerto Rico, to use a frequency of 1290 kilocycles, 500 watts power, unlimited hours of operation. This application was granted by the Radio Commission when station WKAQ, only existing broadcasting station in Puerto Rico, protested. The case was set for hearing. Report No. 501 (Hill, e.). Recommends that Commission affirm its grant to the applicant.

The Examiner found that Puerto Rico is greatly under quota and that there is need for additional broadcasting service on the Island. There is sufficient local talent available for a broadcasting service and "the applicant has made such tentative business arrangements as would insure the successful operation of his station." It is further stated by the Examiner that "no substantial evidence is offered in support of the protest which would, under Rule 46, warrant modification or revocation of the Commission's grant of applicant's application for construction permit."

STAY OF MANDATE IN WLOE CASE

The Court of Appeals of the District of Columbia this week granted a 30-day stay of mandate in the appeal of Station WLOE, Boston.

The Court also this week granted the motion of the Radio Commission to file a single record in the appeals of Stations WLAP and WHAS, both of Louisville, Ky.

NEW CLEARING HOUSE PROGRAMS

The following programs are offered to member stations by the NAB Program Clearing House at this time:

(CH 2:3) "JUNGLE EXPLORERS." Fifteen minutes. Man, and boy and girl, 12-15 years of age, required. Program centers about explorer who brings various jungle animals to city. Later finds two children and tells them his experiences. All settings in Africa. There is little fantastic or hokum in program. Program has been sponsored by prominent baking company six days a week for past 18 months. Capable of merchandising tie-ups with badges, clubs, contests, parties, et cetera. About 500 episodes available. Price, $5.00 each.

(CH 2:4) "CIRCUS DAYS." Fifteen minutes. One boy, one girl and two men. Principal characters are two orphans who visit their uncle, the owner of the Mammoth Circus, the greatest show on earth. Their adventures with the circus constitute the material for the various episodes. Sponsored by an ice cream company six days a week, and has produced excellent results in short time on the air. Approximately 150 episodes are available. Price per episode is $5.00.

(D 1b:1) "SCREWY MOVIE." Five to ten minutes. Two people. These continuities are in dialogue or narrative form and burlesque the usual types of motion picture themes. They serve either as comedy feature for a regular program or as the basis around which to build a fifteen-minute program. Twenty-five episodes available at $2.50 each.

(D 1b:2) "HOMER BENCHBOTTOM." Ten minutes. This program at present is put on ten minutes before the baseball score broadcasts. It relates the adventures of the hero, an ex-umpire, and a would-be baseball player. They supposedly travel with the team and get into all sort of trouble. Program has been sold to brewing company for 100 performances. Seventy-five episodes available at present time. Price is $3.00 each.

HETTINGER BOOK OUT SOON

Publishers of Dr. Herman S. Hettinger's book entitled "A Decade of Radio Advertising" have advised that copies will be available for distribution on or about September 12. The book, the first comprehensive survey of radio advertising, contains a vast amount of factual data which is being presented for the first time. NAB members, agencies and advertisers have expressed a great interest in the forthcoming book and the advance sale has reached nearly 700 copies. Members of the NAB, who have ordered copies, will receive them from the NAB just as soon as delivery can be had.

Dr. Hettinger, a member of the faculty of the University of Pennsylvania, spent nearly two years collecting basic data for his book most of which has heretofore been unpublished. National networks, regional networks, clear channel, regional channel and local channel stations, advertising agencies and advertisers cooperated in supplying information contained in the work.

UP-TO-DATE FREQUENCY LIST

The NAB has published for the benefit of its members a new frequency list, corrected as of August 1, 1933. The booklet has been punched for insertion in the NAB Handbook.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

WEVD—Debs Memorial Radio Fund, Inc., New York City—Modification of license to increase power from 500 watts to 1 KW; **1300 kc.**

APPLICATIONS GRANTED

First Zone

WODA-WAAM—WODAAM Corp., Paterson, N. J.—Granted authority to conduct field intensity tests from new proposed transmitter location during experimental period for 10 days, with portable transmitter; 250 watts, **1250 kc.**

WMSG—Madison Square Garden Broadcast Corp., New York City—Granted consent to voluntary assignment of license to Standard Cahill Co., Inc.

WCDA—Italian Educational Broadcasting Co., New York City—Granted consent to voluntary assignment of license to Standard Cahill Co., Inc.

WGNY—Peter Goelet, Chester Township, New York—Granted special temporary authority to operate from 1 to 3 p. m. and from 4 to 5 p. m., EST, August 16; from 3 to 5 p. m., EST, August 17, provided WFAS and WGBB remain silent.

Second Zone

None.

Third Zone

None.

Fourth Zone

KGDY—Voice of South Dakota, Inc., Huron, S. Dak.—Granted modification of construction permit to extend completion date from August 21 to November 21, 1933.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authority to operate from 3:30 to 6 p. m., CST, September 5 and 6.

Fifth Zone

KVOR—Reynolds Radio Co., Inc., Colorado Springs, Colo.—Granted consent to voluntary assignment of license to S. H. Patterson.

MISCELLANEOUS COMMISSION ACTION

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted permission to take depositions of 25 witnesses in re hearing upon application for renewal of license.

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Granted special temporary experimental authority for period beginning September 1, and in no event later than March 1, 1934, permitting operating of KTAR with 500 watts night in addition to regular power of 500 watts, for the purpose of enabling practical observations to be made to determine whether or not interference will result from such operation. This authorization is made pending final decision of the Commission on the application of KTAR for modification of license to increase night power to 1 KW.

The following application, heretofore set for hearing, was denied because applicant failed to enter appearance within the time allowed.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to increase power to 500 watts.

APPLICATIONS RECEIVED

First Zone

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Modification of license to include authority for 5 KW auxiliary transmitter.

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit for new equipment and increase power from 250 watts to 1 KW—amended to request increase of power to 1 KW night, 2½ KW to local sunset.

WJAR—The Outlet Company, Providence, R. I.—Modification of license to increase power from 250 watts night, 500 watts, to local sunset with additional 250 watts night on experimental basis, to 500 watts (removal of experimental clause).

WAAM-WODA—WODAAM Corp., Newark, N. J., and Paterson, N. J.—Construction permit for consolidation of WAAM and WODA, change transmitter locations from Port Newark, N. J., and Paterson, N. J., to near Carlstadt, N. J. (requests authority to test as to suitability of proposed location), studio location at Newark, N. J., change equipment and to use 1 KW night, 2½ KW to local sunset. Requests application be considered under Rule 6-g. Station to share time with WGCP as at present.

Second Zone

WRVA—Larus & Bro., Inc., Richmond, Va.—Authority to determine operating power by antenna measurement.

Third Zone

WMED—Kathryn Jones, Florence, Ala.—Modification of construction permit for new station (**1420 kc.**, 100 watts, day), to change equipment, approval of transmitter and studio location at Hamilton Ave. at 2d St., Muscle Shoals, Ala., and extension of commencement and completion dates.

WACO—Central Texas Broadcasting Co., Inc., Waco., Tex.—License to cover construction permit to change location.

WHET—Joe K. Jernigan, Cyril W. Reddoch, Julian C. Smith & John T. Hubbard, d/b as Troy Broadcasting Co., Troy, Ala.—Construction permit to change location of transmitter and studio to Houston Hotel, Dothan, Ala., change frequency from **1210 kc.** to **1370 kc.**

Fourth Zone

WCFL—Chicago Federation of Labor, Chicago, Ill.—Modification of construction permit to extend completion date to 3-1-34.

WDGY—Dr. George W. Young, Minneapolis, Minn.—Modification of construction permit to extend dates.

WHBY—WHBY, Inc., Green Bay., Wis.—Construction permit to make changes in equipment, change frequency and power from **1200 kc.**, 100 watts, to **1360 kc.**, 1 KW. Requests facilities of WGES, Chicago, WLBL, Stevens Point, Wis., and facilities vacated by WJKS.

Fifth Zone

KRSC—Radio Sales Corporation, Seattle, Wash.—Modification of license to change frequency from **1120 kc.** to **1110 kc.**, using present power and hours (100 watts, daytime).

NEW—Stanley R. Church, Lewiston, Idaho—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time.

KLX—Tribune Publishing Company, Oakland, Calif.—Consent to voluntary assignment of license to Tribune Building Co.

APPLICATIONS RETURNED

WJAY—Cleveland Radio Broadcasting Corp., Cleveland, Ohio—Modification of license to change power and hours from 500 watts, daytime, to 250 watts, night, 500 watts to local sunset, unlimited time. (Rule 6 c & d, Rule 43.)

WKEU—Allen Wright Marshall, Sr., and Jr., and Guy Aaron Malcom, La Grange, Ga.—Consent to voluntary assignment of construction permit to Radio Station WKEU. (Not in proper form.)

NEW—A. F. Dougherty, Bowling Green, Mo.—Construction permit for new station to use **1370 kc.**, 15 watts, daytime. (Rule 121; insufficient information of equipment.)

NEW—Edwin Briggs Jelks, Valdosta, Ga.—Construction permit for new station to use **1310 kc.**, 100 watts, daytime. (Rule 6; insufficient information on location.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS * * * * *

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MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.

PROGRAM CLEARING HOUSE

The following programs are offered through the NAB Program Clearing House:

(D 1:4) "OVER THE BACK FENCE." Fifteen minutes. Ten minutes dialogue with allowance for two minutes of announcing and three minutes of theme song. Three female voices, capable of doing negro dialect, required regularly. One male actor and an additional woman required occasionally. Program deals with the adventures of three colored women living in the average small town. Scripts contain considerable action as well as homely humor. Program has run seven months over station and has achieved considerable popularity. Thirty-nine episodes available, at $4.00 per episode, six copies of the script being furnished. Special rate of $130.00 for the entire series.

(D 1:5) "THE PICK OF THE TOWN," with Jack and Jill. Comedy program consisting mainly of wise cracking dialogue. Central theme is concerned with Jack's attempts to avoid work and Jill's attempts to get him to work, the situation being further complicated by misunderstandings concerning their engagement. Program can be used for three half-hour or six quarter programs per week. Program has been on station for two years and has been presented both as a commercial and sustaining program. Program can be made available in 13, 26 or 52 week series. Two characters required. Price per episode—which includes sufficient material for three half-hour or six quarter-hour programs, $5.00.

(D 8:1) "THE SUNFLOWER SHOWBOAT." Forty-five minutes in length. Characters required are a captain, two darky comedians, a rural comedian and wife, both of whom can act character parts, a pianist with comedy possibilities; a mixed quartet, all of whom can act in a small way; two character actors, one of whom can play either the banjo or harmonica. The theme of the program is that of a variety program centering about an old river showboat. Dialogue includes old-fashioned minstrelsy, short comedy drama, rural type humor and occasional melodrama. Price is $10.00 per episode, thirteen episodes being available. The entire series is available at $100.00.

(CH 2:5) "JIMMY BAXTER—DETECTIVE." Fifteen minutes. Two boys and a girl, average age 12 to 14 years. Program deals with the adventures of Jimmy Baxter, his sister and another boy. Because of their knack of uncovering facts they are nicknamed detectives. One adventure leads to another. Program has been sponsored two years by a baking company. Through proper merchandising a children's club of over 85,000 members has been built up. In 1932 a children's picnic sponsored by the advertiser drew an attendance of 35,000 and in 1933 of 40,000 persons. Sales of product are reported to have increased several hundred per cent. Price for single station is $5.00 per episode.

DELEGATES RETURN FROM MEXICO

Members of the United States Delegation to the North American Radio Conference which adjourned last week returned to Washington on Tuesday. The conference, which convened on July 10, broke up without arriving at an agreement with respect to the allocation of broadcast frequencies between this country and Mexico.

However, a spirit of friendliness prevailed at adjournment and the way has been opened for future discussions which may lead to a solution to the interference problem.

The conference did agree upon an allocation of channels between 1600 and 4000 kc. and also agreed upon definition of terms.

With respect to broadcasting the nations attending the conference agreed as follows:

1. The participating governments shall make observations and measurements necessary to determine the conditions under which each of them receives the signals of the broadcasting stations of other countries as well as its own with the object that at a later time the specifications and characteristics of the stations to operate on different frequencies can be duly considered.
2. The present width of 10 kc. for broadcast channels shall be maintained.
3. The frequencies of the carrier wave for broadcasting shall be assigned in multiple numbers of 10.
4. In the participating countries the broadcasting stations shall control the frequency of operation in such a way that the frequency of the emitted wave shall not differ more than 50 cycles per second, plus or minus, from the nominal frequency assigned.
5. The participating countries shall exchange information respecting the assignment of frequency to end the alteration of power of broadcasting stations in their respective countries.
6. Directional antennae, the synchronization of stations and other technical means shall be employed where possible in order to reduce the number of frequencies required for a certain number of stations.
7. The assignment of frequencies for broadcasting to the various participating countries shall be left pending for the time being.

The demands from Mexico and Central American countries were greater than the needs of these countries and the United States Delegation early in the conference foresaw the failure of agreement unless these demands were reduced. Mexico demanded 12 exclusive channels and this demand was vigorously opposed by the U. S. Delegates.

Judge Eugene O. Sykes, chairman of the Federal Radio Commission and chairman of the U. S. Delegation, feels that, despite the disagreement on the allocation of channels, that definite progress has been made toward a solution of the problem. He considers the way open to future discussions which, he hopes, will lead to adjustment of the allocation differences between the countries.

The failure of the Mexican conference to agree upon an allocation of broadcast frequencies will put at rest widely circulated rumors that a reallocation of broadcast facilities will be made next fall. As long as the problem is unsolved and the way left open for further discussions it would follow that any general realignment of broadcast stations would be unnecessary.

Experiments with directional antennae and synchronization of stations are virtually compulsory under Paragraph 6 of the agreement entered into. Much new information on the subject of antennae construction has been collected and there have been many important developments in the use of directional antennae.

The agreement of the countries to make use of developments in the field of directional antennae construction focuses attention upon the work of J. C. McNary, NAB consulting engineer, who has spent several years in conducting original experiments in this field.

It was the feeling of the U. S. Delegates that Mexico will begin immediately to enforce the provisions of the agreement.

NAB BOARD TO DRAFT NRA CODE

A special meeting of the Board of Directors of the NAB will be held at the Washington Hotel, Washington, D. C., on Thursday, August 24, for the purpose of whipping into shape for formal submission to the NRA the code of fair competition for the broadcasting industry.

A two-day meeting of the NAB code committee was held in New York on Monday and Tuesday of this week during which data collected by the NAB from all stations were analyzed and suggested provisions drafted. These committee discussions took into consideration the wage and employment conditions at both networks and stations of all classes located in all parts of the country. A vast amount of statistical data was presented to the committee and a report compiled for study by the Board.

Conferences were held this week between Sol A. Rosenblatt, deputy NRA administrator, and the NAB Managing Director covering all phases of the problems involved in the drafting of the code and it is hoped that the Board will be able to draft, on the basis of work already done, a code acceptable to all branches of the broadcast industry and the NRA. Just as soon as the draft to be proposed to the NRA is completed it will be made available to all stations. Under the rules of the NRA a public hearing will be held at which all parties in interest may appear and be heard.

When the proposed code is submitted, a request will be made to have substituted for the President's Reemployment Agreement the labor and wage provisions of the broadcasters' code. This will be expedited in order that all broadcast stations not already having subscribed to the PRA will be able to sign and secure the Blue Eagle.

The proposed code, after promulgated by the Board, will be set for public hearing at a date not yet determined.

Despite the enormous amount of work involved in collecting and analyzing data received from stations, work of preparing suggestions for the NAB Board has gone forward rapidly. In this preliminary work consideration has been given to variations in operating conditions in small and large cities and these conditions were taken into consideration. Consideration also was given to the fact that broadcasting, operating under Government license, is subject to long hours of operation seven days a week.

CONFER ON CONVENTION PLANS

Edwin M. Spence, WPG, Atlantic City, N. J., chairman of the NAB Convention Committee, conferred with the Managing Director last Sunday on plans for the annual membership meeting of the NAB which will be held at White Sulphur Springs, W. Va., October 9, 10, 11 and 12.

NEW MEMBERS IN NAB

The call letter kilocycle list which was mailed to all members, correct as of August 1, 1933, had members of the NAB designated in bold face type. Since August 1, nineteen new members have made application for membership in the Association as follows:

WJMS, Ironwood, Michigan
WNBR, Memphis, Tenn.
KFJZ, Fort Worth, Texas
WLTH, Brooklyn, N. Y.
WLVA, Lynchburg, Va.
WQAM, Miami, Florida
WLIT, Philadelphia, Pa.
KFKA, Greeley, Colorado
KBTM, Paragould, Arkansas
WCRW, Chicago, Illinois
KSO, Des Moines, Iowa
KFWB, Los Angeles, California
KFRC, San Francisco, Calif.
KGB, San Diego, Calif.
KDB, Santa Barbara, Calif.
RCA Victor Co., Camden, N. J.
KFYO, Lubbock, Texas
WMBQ, Brooklyn, N. Y.
WOQ, Kansas City, Mo.

ADDITIONS TO HONOR ROLL

In the NAB reports last week was published the Honor Roll of Broadcast Stations, which consisted of a list of 450 stations that had pledged themselves to cooperate with the NRA. There were 27 pledges received too late for publication last week, but received in time to be placed on the final Roll of Honor. This makes a total of 487 broadcast stations out of 582 licensed operating stations in the United States that have offered their facilities to cooperate in the recovery program. The supplementary list of twenty-seven stations follows:

FIRST ZONE

New York
WBNX, New York
WMSG, New York

Vermont
WQDM, St. Albans

SECOND ZONE

Michigan
WBEO, Marquette

West Virginia
WHIS, Bluefield
WOBU, Charleston

THIRD ZONE

Oklahoma
KASA, Elk City

FOURTH ZONE

Kansas
KGNO, Dodge City

Missouri
WHB, Kansas City
KSD, St Louis

FIFTH ZONE

Arizona
KTAR, Phoenix

California
KERN, Bakersfield
KELW, Burbank
KMJ, Fresno
KTM, Los Angeles
KLX, Oakland
KFBK, Sacramento
KGGC, San Francisco

Colorado
KFKA, Greeley

Hawaii
KGMB, Honolulu
KGU, Honolulu

Idaho
KTFI, Twin Falls

Montana
KGCX, Wolf Point

Oregon
KFJR, Portland

Utah
KSL, Salt Lake City

Washington
KMO, Tacoma
KIT, Yakima

RECOMMENDS DENIAL FULL TIME

Broadcasting station WHDH, Boston, applied for full time on its frequency of 830 kilocycles, using 1,000 watts power. The station now operates on part time. Report No. 502 (Hill, e). Recommends that application be denied.

The Examiner found that both Boston and eastern Massachusetts receive adequate broadcast service at night and that "a sufficient showing of need for the service has not been made by the applicant."

It was further found by the Examiner that the granting of the application would result in interference between stations WHDH and KOA; it would substantially reduce the area served by Station KOA (also operating on 830 kilocycles) and "would deprive a large number of rural listeners of service from what is now their most dependable station."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Bancshares, Ltd., Jersey City, N. J. (2-134-1).
Eastern Bond & Share Corpr., Philadelphia, Pa. (2-135-1).
Inter-Allied Mining Corp., New York City (2-139-1).
National Service Companies, Boston, Mass. (2-133-1).
Redding Creek Placers, Ltd., San Francisco, Cal. (2-137-1).
Southern States Breweries, Inc., Atlanta, Ga. (2-136-1).
Transcontinental Precious Metals, Co., Flint, Mich. (2-138-1).
Aurora Brewing Company, Aurora, Ill. (2-140-1).
Carnegie Metals Company, Pittsburgh, Pa. (2-142-1).
Montana Highlands Gold Mining Co., Butte, Mont. (2-143-1).
Wamad Associates, Boston, Mass. (2-141-1).

LAFOUNT URGES NRA COOPERATION

"It is the patriotic, if not the bounden and legal duty of all licensees of radio broadcasting stations to deny their facilities to advertisers who are disposed to defy, ignore, or modify the codes established by the NRA," Commissioner Harold A. Lafount declared on August 14.

"Under the Radio Act the Commission has no right of censorship," he said. "However, the Commission has the right to take into consideration the kind of programs broadcast when licensees apply for renewals.

MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.

"In the present crucial time, when the Government is making a determined effort to restore prosperity and to provide employment for vast groups, by establishing codes for industry, tending to provide more jobs, by reducing working hours and advancing wage scales, it is questionable, in my individual opinion, if the Commission should ignore such protests as the one filed by the delegation mentioned.

"Of course, when the people are fully informed concerning the NRA drive, its purport, and the philosophy back of it, listeners will ignore appeals for business based on price-cutting. In fact, such appeals will be considered unfair, unpatriotic and un-American.

"During the World War those who refused to do their part were labeled "Slackers"—a term of contempt. Those who refuse to aid the Government in this critical time in its war against depression should be placed in the same category. So far they have been dubbed "Chiselers," but to my mind that is too mild a term.

"The success of the recovery drive, it is generally conceded, depends on team work on the part of the whole nation—the buyers as well as the producers. Many are called upon to make sacrifices for the common good and those who refuse to play the game deserve, and undoubtedly will receive, the odium of all true Americans.

"It is to be hoped that radio stations, using valuable facilities loaned to them temporarily by the Government, will not unwittingly be placed in an embarrassing position because of the greed or lack of patriotism on the part of a few unscrupulous advertisers."

KFWK CASE DISMISSED

The appeal of Station KFWK, St. Louis, Mo., has been dismissed by the Court of Appeals of the District of Columbia at the request of the station. The Radio Commission refused to renew the license of the station and the appeal was taken against this decision.

JULY RADIO EMPLOYMENT INCREASES

July employment index number for the radio industry was 94.1 compared with 92.1 for June and 62.5 for July of last year, taking 1926 at 100, according to the Bureau of Labor Statistics, Department of Labor. The payroll index for July was 55.7 compared with 65.5 for June and 47.8 for July of last year.

NAB PROCEEDINGS SOON READY

Proceedings of the NAB Engineering and Commercial Section meetings are on the presses and will be ready for distribution to members within the next week. The proceedings are being published as a section of NAB Reports.

SCRIPTS WANTED

A member station is interested in receiving information regarding program suitable for sponsorship by a coal company. Another member station is desirous of securing the experience of other stations in handling department store advertising over the radio. This refers to specific program ideas and scripts as well as to experience regarding the general policy which may be followed. Any information in either field will be appreciated by the Program Clearing House.

EXCHANGE OF TRANSCRIPTIONS

A word of caution should be said regarding the offer of the NAB Program Clearing House to act as a facilitating agent in the sale and exchange of transcriptions by stations. It seems that a large number of station contracts are so worded as to restrict the performance of the transcription to the purchasing station. It is suggested that member stations ascertain that their transcriptions are not limited in their performance in this manner before offering them through the Clearing House.

NEW MARKET ANALYSES PUBLISHED

Judging the value of each city, town and county as a market for retail goods and comparing the sales possibilities in such a way as to help wholesalers and manufacturers direct their advertising and sales efforts more profitably, is simplified in a series of studies by the U. S. Department of Commerce. These studies have been made for various states, and bear the title, "An Aid for Analyzing Markets in Ohio," or whatever the state may be.

Specific indexes for gauging the sale possibilities in each county for automotive equipment, electrical appliances and gas appliances are given, together with data from which similar indexes can be worked out for other commodities. The steps necessary in conducting a market survey are outlined and the figures which serve as a background for an analysis of the various marketing areas for wholesalers and manufacturers are presented in readily useable form.

Population and sale figures are presented which should be of considerable value to radio stations in developing market data and in making sales presentations. The reports are one of the most useable series which have been issued and are especially recommended in this field. Reports are available thus far for Texas, New England, the Pacific Southwest region, the South Central Atlantic region, New York, New Jersey, Pennsylvania, Missouri, Connecticut, Ohio, Illinois, Michigan. They are available at 5 cents each from the Superintendent of Documents, Washington, D. C.

FEDERAL RADIO COMMISSION ACTION
HEARING CALENDAR

August 21, 1933

WSAI—Crosley Radio Corporation, Cincinnati, Ohio—Power increase from 500 watts night, 1 KW day, to 1 KW night, 2½ KW day.

August 25, 1933

WODX—Mobile Broadcasting Corporation, Mobile, Ala.—Modification of license to change from **1410 kc.,** 500 watts, simultaneous day with WSFA, share night, to **1380 kc.,** 500 watts, unlimited time.

APPLICATIONS GRANTED

First Zone

WESG—Cornell University, Elmira, N. Y.—Granted authority to operate until 11 p. m. on evening of August 18.

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y. —Granted modification of license to authorize continuing the use of 5 KW auxiliary transmitter.

Second Zone

WKOK—Charles S. Blue, Sunbury, Pa.—Granted authority to extend equipment tests from August 14 to August 21.

Third Zone

WSB—Atlanta Journal Co., Atlanta, Ga.—Granted authority to use present main transmitter as auxiliary for period of 30 days, beginning August 14, in case any defect develops in new 50 KW transmitter.

WGCM—Grace Jones Stewart, under trade name of Great Southern Land Co., Mississippi City, Miss.—Granted construction permit to make changes in equipment, increase day power from 100 to 250 watts, and change specified hours.

KGRS—E. B. Gish (Gish Radio Service), Amarillo, Tex.—Granted construction permit to rebuild transmitter and make changes in equipment.

KGHI—Loyd Judd Co., Little Rock, Ark.—Granted license covering changes in equipment and increase in daytime power; **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

WEED—William Avera Wynne, Greenville, N. C.—Granted modification of construction permit to make changes in equipment, change studio location locally, and change completion date to 45 days from this date.

Fourth Zone

WKBV—Wm. O. Knox, d/b as Knox Battery and Electric Co., Connersville, Ind.—Granted construction permit to move transmitter from Connersville, Ind., to U. S. Road 27, near Richmond, Ind., and move studio from Connersville to Leland Hotel, Richmond, Ind., also to make changes in equipment.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate from 12:30 p. m. to 2 p. m., CST, September 4, providing KFDY remains silent.

WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted modification of construction permit to extend commencement date to July 1 and completion date to October 30, 1933.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted temporary authority, pending hearing on application for specified hours, to operate from 7:30 a. m. to 1 p. m. Sundays only, instead of from 6 to 10:30 a. m. and 11:45 a. m. to 1 p. m. on Sundays.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted construction permit to move station locally from 540 N. Lake Street, Gary, to 2 miles southwest from center of city.

Fifth Zone

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted authority to operate nighttime August 21 to broadcast NRA meeting.

KGIW—Leonard E. Wilson, Trinidad, Colo.—Granted construction permit to move transmitter and studio from Trinidad to La Veta Highway, near Alamosa, and make changes in equipment.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. —Granted 30-day authority to use portable transmitter on **1360 kc.** after midnight to conduct location tests.

SET FOR HEARING

NEW—Maurice Sott, R. D. Laird, Wm. M. Kahanowits, d/b as Greensburg Broadcasting Co., Greensburg, Pa.—Construction permit for new station to use **1420 kc.**, 100 watts, daytime.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit to move transmitter from Addison, Ill., to near Downer's Grove, Ill., install new equipment, and increase power from 5 to 50 KW.

WTMJ—The Journal Co., Milwaukee, Wis.—Modification of license to change frequency from **620 kc.** to **670 kc.**; increase power from 1 KW night and 2½ KW day to 5 KW (facilities of WMAW, WHA, and WLBL).

KRGV—KRGV, Inc., Harlingen, Tex.—Modification of license to increase hours of operation from sharing equally with KWWG to unlimited.

WHA—University of Wisconsin, Madison, Wis.—Renewal of license set for hearing because facilities have been applied for.

WDAE—Tampa Publishing Co., Tampa, Fla.—Construction permit to make changes in equipment, and increase day power from 1 KW to 2½ KW (facilities of WRUF in terms of quota units).

ORAL ARGUMENT GRANTED

September 20, 1933

WMBD—Peoria Broadcasting Co., Peoria, Ill., and WTAD, Illinois Broadcasting Corp., Quincy, Ill.—In re Examiner's Report No. 493.

MISCELLANEOUS COMMISSION ACTION

WJSV—Old Dominion Broadcasting Co., Alexandria, Va.—Granted regular license with certain restrictions, since WHOM has withdrawn its protest.

KMLB—Liners Broadcasting Station, Inc., Monroe, La.—Granted petition for rehearing of application for construction permit for change in location of transmitter and change in frequency from **1200 kc.** to **590 kc.**, and increase in power from 100 watts to 250 watts, and change in time from specified hours to unlimited. Applicant desires to submit additional testimony.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Application for increased power restored to hearing docket.

APPLICATIONS RECEIVED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co., of Baltimore, Baltimore, Md.—Modification of construction permit granted 3-31-33 to move transmitter to Pikesville, Md., and install new equipment for extension of completion date to 8-31-33.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Construction permit for new equipment and increased power, from 250 watts to 500 watts.

Second Zone

None.

Third Zone

WIS—Station WIS, Inc., Columbia, S. C.—Construction permit to change equipment, change frequency, and increase power from **1010 kc.**, 500 watts night, 1 KW day, to **1050 kc.**, 5 KW. Requests application be considered under Rule 6 (f).

WSB—The Atlanta Journal Co., Atlanta, Ga.—License to cover construction permit granted 11-17-31 and modifications for new equipment, change transmitter location and increase power from 5 KW to 50 KW.

WSB—The Atlanta Journal Co., Atlanta, Ga.—Authority to determine operating power by direct antenna measurement.

Fourth Zone

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Special experimental authorization to operate two hours additional after sunset experimentally to January 31, 1934, using 500 watts power.

WNAX—The House of Gurnery, Inc., Yankton, S. Dak.—License to cover construction permit granted 2-10-33 to change equipment and increase power from 1 KW to 1 KW night, 2½ KW day: also authority to determine operating power by direct antenna measurement; also modification of license for authority to use old 1 KW transmitter as main transmitter at night.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to make changes in equipment, change frequency from **1310 kc.** to **1360 kc.**, increase power from 100 watts to 1 KW (facilities of WGES, Chicago, Ill.).

Fifth Zone

KGER—Consolidated Broadcasting Corporation, Ltd., Long Beach, Calif.—Construction permit to change transmitter location locally, exact location to be determined by tests.

KFKA—The Midwestern Radio Corp., Greeley, Colo.—Construction permit to move transmitter from Greeley, Colo., to Idlewild, outside city limits of Greeley.

NEW—Frank Wilburn, Prescott, Ariz.—Construction permit to erect a new station at Prescott, Ariz., to operate on **1500 kc.**, 100 watts, unlimited time (facilities of KPJM, Prescott, Ariz.).

KGA—Northwest Broadcasting System, Inc., Spokane, Wash.—Consent to voluntary assignment of license to Louis Wasmer.

KEX—Western Broadcasting Co., Portland, Ore.—Consent to voluntary assignment of license to The Oregonian Publishing Co.

APPLICATIONS RETURNED

NEW—Midwestern Broadcasting Assn., St. Joseph, Mo.—Construction permit to erect a new station to operate on **1210 kc.**, 100 watts, unlimited time (facilities of KGIZ, Grant City, Mo.). (Unsatisfactory equipment and transmitter location.)

NEW—S. J. Carnes, Camden, Ark.—Construction permit to erect a new station to operate on **930 kc.**, 15 watts, unlimited time. (Rules 6, 120, 151, and unsatisfactory equipment.)

KGFX—Dana McNeil, Pierre, S. Dak.—License to cover construction permit authorizing changes in equipment. (Improperly executed.)

WKEU—Allen Wright Marshall, Jr. and Sr., and Guy Aaron Malcom, La Grange, Ga.—Consent to voluntary assignment of construction permit to Radio Station WKEU. (Not in proper form.)

WKBB—Sanders Bros. Radio Station, Joliet, Ill.—Modification of construction permit to change transmitter and studio location, new equipment, and change in specified hours. (Request of applicant.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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NAB FILES BROADCAST CODE

The National Association of Broadcasters on August 29 submitted to the National Recovery Administration a code of fair competition for the radio broadcasting industry. The code was submitted in the form approved by the Board of Directors of the Association at its meeting in Washington, D. C., August 24 and 25.

At the same time application was made to substitute the labor and wage provisions of the broadcasters' code for labor and wage provisions of the President's Reemployment Agreement. It is expected that the National Recovery Administration will act promptly upon the application for substitution and that all radio stations of the United States will be under the Blue Eagle within the next few days. Many stations have already signed the President's Reemployment Agreement and are operating under its provisions, although the vast majority are awaiting approval of the substituted provisions.

Deputy Administrator Sol A. Rosenblatt, who has been designated to handle the broadcasters' code, indicated that an early date will be fixed for public hearing on the permanent code.

Copies of the code as filed by the Association are being sent to all broadcasting stations.

Briefly, the code provides a forty-hour week for all employes, except radio operators and control men who are given a 48-hour week. Special provisions have been made for persons employed on special event programs of public interest. Exceptions as to working hours are made with respect to persons above a certain salary grade who are employed in a managerial or executive capacity (including announcers and production men), outside salesmen, and employes on emergency maintenance and repair work.

Persons under the age of 16 years may not be employed except as talent on programs and then for not more than three hours daily, the hours of employment not to interfere with their schooling.

A differential in salary classification is provided as between stations employing more than ten regular employes and stations employing less than that number. Minimum pay for broadcast technicians, including radio operators and control men, is fixed at $20 a week for stations employing more than ten persons and at $15 a week for stations employing no more than 10 employes. Announcers and program production employes are given a minimum weekly salary of $20 in the larger stations and $15 in the smaller stations. For other employes the wage schedules provided in the President's Reemployment Agreement are followed.

The code also provides for equitable readjustments in all pay schedules in line with the spirit of the blanket code and carries the statutory provisions relating to collective bargaining.

A section on trade practices bans "rate chiseling," "song plugging," disparagement of competitors, false coverage claims, and lotteries.

The National Association of Broadcasters is designated as the supervisory agency under the code.

It is estimated that compliance with the code will result in the employment of 720 additional employes, or an increase of 6.5 per cent over the number regularly employed as of July 29, 1933. The total employment would be 3.2 per cent above that of any previous year in the industry's history. Exclusive of equitable readjustments, the amount added to payrolls would exceed $1,000,000, representing a gain of 4.8 per cent when compared with present payrolls. According to surveys conducted by the Association there are now approximately 11,000 persons regularly employed in the industry, exclusive of special talent, and the annual payroll is around $20,900,000.

The code was presented to the National Recovery Administration by a committee consisting of Alfred J. McCosker, President of the NAB; Philip G. Loucks, Managing Director of the NAB; and John W. Guider, Counsel for the NAB, acting under instructions from the Board of Directors and the NAB Code Committee.

NETWORKS OFFER PRESIDENT'S TALKS

Although the voice of the President of the United States may now be heard over the national networks by virtually every person owning a radio receiving set in the United States, nevertheless the National Broadcasting Company and the Columbia Broadcasting System have offered to make available to non-network stations the Presidential broadcasts.

In cities where the Columbia Broadcasting System and the National Broadcasting Company do not have an affiliated station, which regularly broadcasts the features of either network, consent for broadcasting special Presidential addresses will be given, the pick-up to be made from the nearest practical wire point of either of the networks.

In any city where the Columbia Broadcasting System or the National Broadcasting Company has an affiliated station the consent of the regular associated network station must be obtained before permission can be given for the Presidential broadcasts.

The non-network station can apply in advance to the Columbia Broadcasting System and the National Broadcasting Company or through the National Association of Broadcasters for the specific Presidential address desired. The non-network station will arrange through the networks for the Telephone Company to connect the non-network station to the network facilities and will agree to pay promptly the charges incidental to the connection between the station and the nearest available network point.

NAB BOARD FAVORS LONGER LICENSES

Longer license terms for broadcast stations were advocated in a resolution adopted by the NAB Board of Directors at its meeting held in Washington, D. C., August 24 and 25. The text of the resolution follows:

"Whereas the Radio Act of 1927, as amended, authorizes the Federal Radio Commission to issue broadcast licenses for three-year periods; and

"Whereas, the Commission, up to this time, has not seen fit to license such stations for a term greater than six months; and

"Whereas, the broadcast industry is desrious of cooperating with the National Recovery Administration by observing a code under which hours of work will be shortened and rates of pay increased for station employes and under which many stations will be required to increase their personnel and payrolls; and

"Whereas, many stations will find it virtually impossible to carry out the spirit and letter of this code without improvement of their credit conditions which can only result from longer licenses; and

"Whereas, the North American Radio Conference has been concluded in a manner which will make a general realignment of stations unnecessary;

"Whereas, longer license terms will result in greater stability throughout the broadcasting industry;

"Therefore, be it Resolved, That the Board of Directors of the

MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.

National Association of Broadcasters, on behalf of the broadcasting industry, respectfully requests that the Federal Radio Commission extend terms of all broadcast station licenses for the full statutory period."

CONVENTION PLANS PROGRESS

Plans for the annual membership meeting of the NAB were discussed at the meeting of the Board of Directors by Ed M. Spence, chairman of the NAB Convention Committee. The convention will be held at White Sulphur Springs, W. Va., October 8, 9, 10 and 11, and a major part of the program will be devoted to discussion of industry business.

Chairman Spence announced to the Board that he has appointed Leon Levy, WCAU, Philadelphia, Pa.; Sam Cook, WFBL, Syracuse, N. Y.; L. B. Wilson, WCKY, Covington, Ky.; Birt Fisher, KOMO, Seattle, Wash.; W. E. Hutchinson, WAAF, Chicago, Ill.; and LeRoy Mark, WOL, Washington, D. C.

NRA TO USE TRANSCRIPTIONS

The National Recovery Administration is offering to radio stations transcriptions of an address relating to the use of the Blue Eagle by merchants and manufacturers in smaller communities. Notices of the availability of transcribed talks were sent to stations by W. B. Dolph, in charge of radio for the NRA, who has followed the recommendations of the NRA Committee on Radio Broadcasts in making the talk available.

PROGRAM CLEARING HOUSE

Programs offered to member stations through the NAB Program Clearing House are as follows:

(D 8:3) "TREASURE ISLAND." A dramatic version of Stevenson's famous adventure story, available in 13 episodes of fifteen minutes in length. Has been developed in such a way as to allow numerous merchandising tie-ins which will be sent to interested stations upon request. Was sponsored by large mail order department store in the interests of its toy department. As a result of program the store reported the biggest toy business in years and the largest percentage increase in volume of business of any toy department in the entire chain. Fifteen characters are required in all, though no more than six are required in any one broadcast. Entire series available for $30.00.

(CH 5:1) "THE KANGAROO CLUB." An informal children's program broadcast for a forty-five-minute period daily. Since its inception on the air in 1928, over 42,000 children have enrolled as members. Only children participate in the program, which includes historical dramas, fairy tales and other dramatic presentations. National and local accounts have used announcements on this period with great success.

(D 5:3) "THE LOST NATION." Fifteen-minute program, probably most effective if used on a five-night-a-week basis. Involves the story of a group of gold-seeking pioneers upon whom the Indians place a curse which causes them to shrink to the size of midgets. The development of the plot revolves about the further adventures of this strange group of people. Merchandising tie-ins are available, including maps of the Lost Nation and similar features. Prices available upon request.

(Sp 6) "THE FACT FINDER." A series of five-minute programs recounting little known oddities gathered from here and there. Questions such as whether fish drink, how hot is the sun, and similar matters are discussed in the continuities. These are adaptable to insertion in a fifteen-minute or half-hour program or to use by themselves. They can be combined into longer programs in which spot announcements may be inserted.

The cost of the program is five dollars weekly for five daily programs. Programs may be ordered in lots of four weeks, or twenty at a time, payment upon receipt of the order. Written cancellation required at the end of each series.

BOOTLEG STATIONS PROSECUTED

Eighteen persons have been charged with violation of the Radio Act of 1927 as a result of the Commission's move to eradicate air pirating in Texas. The charges have resulted from the operation of small unlicensed radio stations, programs of which have been heard across the Texas state line, and which therefore have brought the stations directly in conflict with the Federal law.

Those charged with violation of the act are Rev. Sam N. Norris, militant Baptist minister; C. A. Paulger and Joe Stanton, of Lubbock; Mr. and Mrs. E. J. Turner and Mr. and Mrs. F. H. Meier, of Ban Antwerp; Ed Pierce, Curry H Jackson, Willis Brooks and F. W. Burson, of Plainview; A. F. McClellan, Cleve Langford and Bill Adams, of Stamford; Ed F. Howser and E. W. Brown, of Big Spring.

Penalty for violation of the act, upon conviction, is a fine of not more than $5,000 or imprisonment of not more than five years in the penitentiary or both.

RESCINDS SUSPENSION OF RULE 151

The Federal Radio Commission has rescinded its action of last spring whereby the operation of Rule 151 was suspended until November 1 of the current year. Rule 151 requires the licensee of a broadcasting station to maintain a minimum regular operating schedule of two-thirds the hours authorized each broadcast day, except Sundays.

The revocation of the suspension of Rule 151, however, will not affect authorizations heretofore granted certain stations, upon application, to operate less than the time required by rule, up to but not beyond November 1, 1933.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Consolidated Crude Corporation, Los Angeles, Calif. (2-145)
Progressive Building & Loan Association, Washington, D. C. (2-146)
The Southwest Company, Tulsa, Okla. (2-147)
Sunset Gold Fields, Inc., New York City (2-148)
20th Century Depositor Corporation, New York City (2-144)

TRADE COMMISSION STOP ORDERS

The Federal Trade Commission has issued stop orders under the Securities Act suspending the effectiveness of the registration statements of American Gold Mines Consolidation, Inc. (2-81-1), New York, and Industrial Institute, Inc. (2-90-1), Jersey City, until they have been amended to comply with the requirements of the act and the Commission's regulations.

DUES FOR SMALL STATIONS REDUCED

In line with the attitude of the National Recovery Administration that the industry's trade organization embrace all units, the Board of Directors of the NAB at its meeting in Washington, D. C., August 24 and 25 adopted the following resolution:

"Resolved, That pending a revision of the constitution and bylaws, the Managing Director be authorized to accept active memberships from stations whose gross income for the year ended December 31, 1932, has been less than $15,000 at $30.00 per annum."

A membership drive is now under way under the leadership of the NAB membership committee and it is expected that within the next two weeks every eligible station will be a member of the NAB. Members of the Membership Committee are now authorized to quote the new rate to small stations.

BUSINESS PROGRESS CONTINUES

Despite a slowing up of activity usual during the latter part of August the general trend of business still remains strong. Production, during the week ending August 19 was lower than earlier in the summer, and in some lines was reported to be below current output. Automobile production was the exception to the trend and continued at the level of the preceding week. The July preliminary figure for automobile registrations in the passenger car field is 185,000 units as compared to 174,190 in June and 104,188 in July, 1932, it is stated by the Department of Commerce.

Industrial production in July reached approximately 95 per cent of the 1923-1925 average, according to the Federal Reserve Bulletin for August. The advance in activity was not confined to consumption goods but included the durable goods industries, which constitute a large part of our production and which especially comprise the part that shows greater changes from prosperity to depression.

Employment has expanded at a much slower rate than production as is usual in the early stages of recovery, since giving more work to those already on the payroll precedes the hiring of new workers. More than 1,500,000 workers were rehired during the second quarter of the current year, though the number of unemployed in June still approximated 11,000,000 persons. Department store sales in July were slightly above those of the preceding month and were approximately 6 per cent higher than those of July, 1932. Though an acceleration of business activity is to be noted generally, the movement is still too new to be more than embryonic.

PROCEEDINGS SENT TO MEMBERS

Proceedings of the Commercial and Engineering Section meetings held several weeks ago were sent to all NAB members this week.

BOARD APPROVES 34 NEW MEMBERS

Thirty-four applications for membership in the NAB were submitted to the Board of Directors at its meeting in Washington last week. All the applicants were approved and are now being welcomed into the organization. This brings the membership up to 256 members as we go to press. We have enthusiastic letters from every man on the membership committee, all full of confidence that the drive to make NAB represent the broadcast industry 100 per cent is going over the top. The new members are:

KBTM, Paragould, Ark.; KDB, Santa Barbara, Calif.; KFJZ, Ft. Worth, Texas; KFKA, Greeley, Colorado; KFPL, Dublin, Texas; KFPW, Ft. Smith, Ark.; KFRC, San Francisco, Calif.; KFWB, Los Angeles, Calif.; KFYO, Lubbock, Texas; KGB, San Diego, Calif.; KGBX, Springfield, Mo.; KGFW, Kearney, Nebraska; KMAC, San Antonio, Texas; KSEI, Pocatello, Idaho; KSO, Des Moines, Iowa; WAAT, Brooklyn, N. Y.; WBBZ, Ponca City, Okla.; WCKY, Covington, Ky.; WCRW, Chicago, Ill.; WDGY, Minneapolis, Minn.; WHBU, Anderson, Ind.; WHN, New York, N. Y.; WIBM, Jackson, Mich.; WJMS, Ironwood, Mich.; WLIT, Philadelphia, Pa.; WLTH, Brooklyn, N. Y.; WLVA, Lynchburg, Va.; WMBQ, Brooklyn, N. Y.; WMIL, Jersey City, N. J.; WNBR, Memphis, Tenn.; WQAM, Miami, Florida; WREC, Memphis, Tenn.; WSBC, Chicago, Ill.; RCA-Victor Co., Camden, N. J.

One application for membership was received last week just too late to present to the Board. This station, WSOC, Gastonia, N. C., has been placed on the active membership pending the next meeting of the Board.

NAB STATISTICAL REPORT OUT SOON

Work of tabulation will be begun this week on the first monthly report of the NAB Statistical Service. This report will present for the first time a compilation of the volume of both network and spot radio broadcast advertising.

The installation of the NAB Statistical Service was temporarily side-tracked in favor of the collection of information regarding wages, hours and employment in the radio broadcasting industry to be used in the preparation of the broadcaster's Code of Fair Competition.

The initial report on local, national, spot, and network advertising volume will be published within the next few weeks, following which the report will be issued regularly at the close of each month. August report forms are being mailed to members during the course of the next few days and stations are urged to return these to NAB headquarters as early as possible.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

August 28, 1933

Hearing involving 10 applications of WARD, U. S. Broadcasting Corp., Brooklyn, N. Y.; WBBC, Brooklyn Broadcasting Corp., Brooklyn, N. Y.; WLTH, Voice of Brooklyn, Inc., Brooklyn, N. Y.; and WFOX, Paramount Broadcasting Corp., Brooklyn, N. Y.

APPLICATIONS GRANTED

First Zone

WOL—American Broadcasting Co., Washington, D. C.—Granted CP to make changes in equipment.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Granted authority to continue remaining silent until 12:30 p. m., October 2, 1933.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted authority to continue using time of WCAC to October 2.

WESG—Cornell University, Elmira, N. Y.—The Commission reconsidered its action of August 15 in granting application for special temporary authority to operate station until 11 p. m., EST, on evening of August 18, and granted same for special temporary authority to operate station until 1 a. m., EST, August 19.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to remain silent Labor Day, September 4, in order to give employees a holiday.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Granted renewal of license, **780 kc.**, 250 watts, 500 watts LS, unlimited time. Also granted special temporary experimental authority to operate with additional 250 watts nighttime power for period September 1, 1933, to March 1, 1934.

WJAR—The Outlet Co., Providence, R. I.—Granted renewal of license, **890 kc.**, 250 watts, 500 watts LS. Also granted special temporary experimental authority to operate with additional 250 watts nighttime power for period September 1 to March 1, 1934.

WBAL—Consolidated Gas and Electric Light and Power Co. of Baltimore—Granted modification of CP extending completion date to August 31, 1933.

WBAL—Consolidated Gas and Electric Light and Power Co. of Baltimore—Granted renewal of special experimental authority to synchronize on **760 kc.** with WJZ with power of 2½ KW for a period of 3 months from September 1.

Second Zone

WSAI—Crosley Radio Corp., Cincinnati, Ohio—Granted increase in operating power from 500 watts night to 1 KW night and from 1 KW day to 2½ KW day, affirming grant made June 30, 1933, which was protested by F. P. Moler, licensee of WHBD, at Mt. Orab, Ohio. Moler has withdrawn his protest and hearing scheduled has been cancelled.

WKRC—WKRC, Inc., Cincinnati, Ohio—Granted extension of special experimental authority to use 1 KW (500 watts additional) power, to November 1, 1933.

Third Zone

KUOA—KUOA, Inc., Fayetteville, Ark.—Granted modification of CP to make changes in equipment, and approval of transmitter site at Mount Sequoyah, Fayetteville, Ark.

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Granted license covering installation of new equipment, moving station locally, and change in frequency, power and hours of operation; **1420 kc.**, 100 watts, specified hours.

WGCM—Great Southern Land Co., Mississippi City, Miss.—Granted consent to voluntary assignment of license to Grace Jones Stewart, under trade name of Great Southern Land Co.

WGCM—Grace Jones Stewart, under trade name, Great Southern Land Co., Mississippi City, Miss.—Granted CP to make changes in equipment, increase day power from 100 to 250 watts, and change hours of operation to daily except Sunday, 9 a. m. to 1 p. m.; 7 to 9 p. m. Sunday, 9:45 a. m. to 1 p. m.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted authority to operate for period of 90 days with 300 watts power, pending repair of high-voltage generator (regular power, 500 watts).

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Granted authority to resume operation September 1 instead of September 10.

Fourth Zone

WMBH—WMBH Broadcasting Co., Joplin, Mo.—Granted authority to broadcast all World Series baseball games when dates and hours become known.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special authority to use time assigned to but not used by stations KUSD and WILL during month of September.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, September 22.

WLBL—State of Wisconsin Department of Agriculture and Markets, Stevens Point, Wis.—Granted renewal of license on a temporary basis, subject to such action as the Commission may take on their pending application for renewal, and designated said application for hearing.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted renewal of license on a temporary basis, subject to such action as the Commission may take on their pending application for renewal, and designated said application for hearing.

WILL—University of Illinois, Urbana, Ill.—Granted authority to remain silent from September 1 until 3 a. m. September 20, 1933.

Fifth Zone

KLX—The Tribune Publishing Co., Oakland, Calif.—Granted consent to voluntary assignment of license to Tribune Building Co.

KGA—Northwest Broadcasting System, Inc., Spokane, Wash.—Granted consent to voluntary assignment of license to Louis Wasmer (Lessee).

KEX—Western Broadcasting Co., Portland, Ore.—Granted consent to voluntary assignment of license to The Oregonian Publishing Co.

KOA—National Broadcasting Co., Inc., Denver, Colo.—Granted modification of CP approving equipment and transmitter location at Colfax Ave., Twp. 4 South, Colo.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—License extended on a temporary basis to October 1, 1933, pending receipt and/or action on application for renewal.

KWFV—Hilo Broadcasting Co., Ltd., Hilo, Hawaii—Granted permission to use 10 watt transmitter for purpose of making field intensity measurements to determine site for transmitter.

KIDO—Boise Broadcasting Station, Boise, Idaho—Granted CP to make changes in equipment and install vertical radiator.

SET FOR HEARING

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—CP to move transmitter from Tupper Lake to Lake Clear, N. Y., make changes in equipment, change frequency from **1420 kc.** to **1290 kc.**, and change power from 100 to 250 watts (facilities of WNBZ).

WJAR—The Outlet Company, Providence, R. I.—Modification of license to increase operating night power from 250 to 500 watts; remove experimental clause relative to additional 250 watts on experimental basis.

KWWG—Frank P. Jackson, Brownsville, Tex.—Renewal of license. Facilities of station are being requested.

NEW—Herbert H. Fette, Meriden, Minn.—CP for new station, **1310 kc.**, 100 watts, daytime (facilities of KGDE).

NEW—Thomas R. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—CP for new station, **750 kc.**, 250 watts, daytime.

APPLICATION DENIED

NEW—Lebanon Broadcasting Corp., Lebanon, Pa.—CP for new station to operate on **1500 kc.**, 50 watts, daytime, heretofore set for hearing, was denied because applicant failed to enter appearance within time allowed.

ORAL ARGUMENTS GRANTED

Oral arguments were granted, to be held September 27, in re Examiner's Report No. 488, involving stations WFEA, Manchester, N. H.; WDRO, Augusta, Maine; WQDM, St. Albans, Vt.; The Portland Maine Publishing Co. and Casco Bay Broadcasting Co., Portland, Maine. Also in re Examiner's Report No. 496, Station WILL, Urbana, Ill.

APPLICATIONS RECEIVED

First Zone

NEW—Harold Thomas, Waterbury, Conn.—Construction permit for new station to use **1190 kc.**, 100 watts, daytime.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Extension of special experimental authorization granted 6-19-33 to use **1280 kc.**, 500 watts, experimentally for additional 90 days from September 9, 1933.

WJAR—The Outlet Company, Providence, R. I.—Special experimental authorization to continue using 500 watts night on experimental basis from 9-1-33.

WBNX-WMSG-WCDA—Standard Cahill Co., Inc., New York, N. Y.—Modification of license to consolidate stations WBNX, WMSG, and WCDA; to use call letters WBNX; delete calls WMSG and WCDA; to use transmitter and transmitter location of WCDA at Cliffside, N. J., and main studio to be 1100 E. 177th St., New York, N. Y.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Construction permit to make changes in equipment, change frequency and increase power from **1310 kc.**, 100 watts night, 250 watts to local sunset, to **630 kc.**, 500 watts.

NEW—Laurea J. Lavoie, Berlin, N. H.—Construction permit for new station to use **1210 kc.**, 100 watts, unlimited time.

WOKO—WOKO, Inc., Albany, N. Y.—Extension of special temporary experimental authorization to operate on **1430 kc.**, unlimited and simultaneous operation with WHP, WCAH, WFEA, and WHEC from 11-1-33 for six months.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Extension of special experimental authorization for additional 250 watts night on experimental basis, from 9-1-33 to 3-1-34.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Modification of license to increase power from 250 watts night, 500 watts to local sunset with additional 250 watts night on experimental basis, to 500 watts.

Second Zone

WHBC—Edward P. Graham, Canton, Ohio—License to cover construction permit granted 6-30-33 for new equipment and increase power from 10 watts to 100 watts.

WKRC—WKRC, Inc., Cincinnati, Ohio—Extension of special experimental authorization to use an additional 500 watts experimentally from 9-1-33 to 11-1-33.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of construction permit granted 6-30-33 to change antenna tower.

WHDF—Upper Michigan Broadcasting Company, Calumet, Mich.—Modification to cover transmitter location from Calumet, Mich., to one-half block east of Laurium, Mich. (station moved 4 years ago; this application to clear records).

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to change hours of operation from Central Standard Time to Eastern Standard Time.

Third Zone

NEW—Church of Christ (T. C. White, business manager and operator), Stamford, Tex.—Construction permit for new station to use **1200 kc.**, 100 watts, daytime. Requests be considered under Rule 6(g).

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license for change in specified hours of operation from daily except Sunday, 7 a. m. to 1 p. m., 5 p. m. to 8 p. m.; Sunday 9 a. m. to 6 p. m., CST, to daily except Sunday, 8:30 a. m. to 1 p. m., 5:30 p. m. to 10 p. m.; Sunday, 9 a. m. to 6 p. m., CST.

NEW—Southland Radio Corporation, Shreveport, La.—Construction permit for new station to use **1210 kc.**, 100 watts, unlimited time. Requests facilities KWEA, Shreveport, La.

WKEU—Allen Wright Marshall, Jr., Allen Wright Marshall, Sr., and Guy Aaron Malcom, LaGrange, Ga.—Consent to voluntary assignment of license to Radio Station WKEU.

WPFB—W. E., F. E., and P. L. Barclift, d/b as Hattiesburg Broadcasting Company, Hattiesburg, Miss.—Construction permit to move transmitter and studio to Tuscaloosa, Alabama.

Fourth Zone

KGFX—Dana McNeil, Pierre, S. Dak.—License to cover construction permit granted 2-24-33 for changes in equipment.

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Construction permit to move transmitter from Fridley, Minn., to 74th and Nicollet Ave., Richfield, Minn., and to make changes in equipment.

KFEQ—Scroggin & Company Bank, St. Joseph, Mo.—Modification of license to change hours from daytime to local sunset to 6 a. m. to 7 p. m.

WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Modification of station license to change name of licensee to Missouri State Highway Patrol in accordance with Act of State Legislature.

NEW—Midwestern Broadcasting Association, St. Joseph, Mo.—Construction permit for new station, exact location to be determined, St. Joseph, Mo., to use **1500 kc.**, 100 watts, unlimited time (facilities KGIZ, Grant City, Mo.).

Fifth Zone

KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to change power and hours from 100 watts, daytime, to 100 watts, unlimited. Requests facilities KFWI, San Francisco, Calif.

APPLICATIONS RETURNED

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to change transmitter and studio from Huntsville, Ala., to Durham, N. C., change frequency and hours from **1200 kc.**, six-sevenths time, to **1500 kc.**, unlimited time. (Rule 6 a, b, and c.)

KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of construction permit for extension of commencement and completion dates. (Oath improperly executed.)

KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit requesting change in equipment from that authorized in construction permit granted 6-23-33. (All sections not answered.)

KIEM—Harold H. Hanseth, Eureka, Calif.—Special experimental authorization to use night hours from local sunset to 10 p. m., PST, on experimental basis for six months. (On wrong form.)

KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to change hours from daytime to unlimited. (Request of applicant; superseded by 5-ML-B-1221 above.)

WIBM—WIBM, Inc., Jackson, Mich.—Modification of station license to change hours of operation from Central Standard Time to Eastern Standard Time. (Oath improperly executed.)

WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Consent to voluntary assignment of license. (Not the proper form; superseded by 4-ML-B-1219.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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SEPT. 2, 1933

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BROADCASTERS FLY BLUE EAGLES

The National Recovery Administration on August 31 formally approved the application of the National Association of Broadcasters to have substituted in the President's Reemployment Agreement certain provisions from the proposed Code of Fair Competition for the Broadcasting Industry which was filed on August 29.

This means that all stations who can comply with the agreement as modified should sign the President's Reemployment Agreement and the Certificate of Compliance, and obtain the BLUE EAGLES at once.

The President's Reemployment Agreement, as modified through the granting of the NAB application for substitution, should not be confused with the Proposed Code of Fair Competition for the Broadcasting Industry which was filed on August 29. This Code must be the subject of a public hearing and it is likely that this hearing will be held about the middle of September. Following the hearing and after the President has finally approved the Code of Fair Competition for the Broadcasting Industry, the approved Code will supersede the President's Reemployment Agreement and stations will operate under the approved Code.

The substitutions in the President's Reemployment Agreement which were approved today are as follows:

For Paragraph 3 of the President's Agreement (Code Reference: Art. IV, Sec. 3, Sec. 4, Paras. (d) and (e):

> "No factory or mechanical worker or artisan (other than radio operators, control men, announcers, production men, and employees on special event programs) shall be employed more than a maximum of 40 hours per week, nor more than 8 hours in any one day. Radio operators, control men, announcers, production men, and employees engaged on special event programs, shall not be employed more than a maximum week of 48 hours."

And for Paragraph 4 of the President's Agreement (Code Reference: Sec. 4 (a):

> "The maximum hours fixed in the foregoing paragraphs (2) and (3) shall not apply to employees in establishments employing not more than two persons in towns of less than 2,500 population which towns are not part of a larger trade area; nor to managerial, executive and supervisory employees and production men and announcers who receive $35.00 or more per week; nor to employees on emergency maintenance and repair work; nor to very special cases where restrictions of hours of highly skilled workers on continuous processes would unavoidably reduce production but, in any such special case, at least time and one-third shall be paid for hours worked in excess of the maximum. Population for the purposes of this agreement shall be determined by reference to the 1930 Federal census."

Except for the substitutions as above set forth, there are no other changes in the printed text of the President's Agreement.

TO OBTAIN THE BLUE EAGLE, each station should secure from its Postmaster a copy of the President's Reemployment Agreement and Certificate of Compliance. The President's Reemployment Agreement should be signed and the Certificate of Compliance should also be signed with the following paragraph written thereon:

> "To the extent of NRA consent as announced we have complied with the President's Agreement by complying with the substituted provisions of the Code submitted for the Radio Broadcasting Industry."

When this has been done, the copy of the Agreement should be mailed in the envelope provided for that purpose. The Certificate of Compliance, with the above notation thereon, should be delivered to the Postmaster who will present the signer with BLUE EAGLE insignia. Stations may then display the coveted BLUE EAGLES.

It is suggested that appropriate announcements be made on the air.

Each station is reminded that immediately upon signature the provisions of the modified agreement become effective.

General Johnson signed the NAB application less than forty-eight hours after the NAB submitted its proposed code for fair competition on August 29. Copies of the proposed code, now awaiting hearing, were sent to all broadcasters and reaction from the industry has been favorable.

It was indicated that the hearing will be held about September 20 and it is likely that some opposition from non-broadcasting groups will become evident at the time of hearing.

President Alfred J. McCosker, Managing Director Philip G. Loucks, and John W. Guider, special counsel, constitute the committee for submission of the Code The code committee, consisting of ten members will be on hand for the hearing.

Since the approval of the temporary code many stations have already signed up and are displaying the NRA insignia.

Not only are stations doing their part by complying with the provisions of the President's Agreement, but more than 500 stations have taken an active part in the publicity campaign by putting on programs promoting the NRA and by cooperating with their local committees.

WIP SUES TO DISSOLVE ASCAP

A suit to dissolve the American Society of Composers, Authors and Publishers as a violator of the Federal Anti-monopoly laws was filed in the United States District Court at New York September 1 by the Pennsylvania Broadcasting Company of Philadelphia, owner of Radio Station WIP, according to an announcement by Oswald F. Schuette, NAB copyright director.

The suit is based on the copyright contract which Station WIP charges that it was compelled to sign as part of ASCAP's attempt to interfere with interstate commerce. This is the standard form of coypright contract exacted by ASCAP from practically all broadcasting stations. The Federal Court is asked in the suit to disband ASCAP as an illegal combination and to declare void the contracts between that organization and its members and to enjoin its members and officers from interfering with interstate commerce by bringing infringement suits.

The attorneys who filed the suit were the law firm of Hon. Newton D. Baker—Baker, Hostetler, Sidlo and Patterson of Cleveland, Ohio—and I. D. Levy of Philadelphia. Mr Baker is the general counsel on copyright matters for the National Association of Broadcasters and Mr. Levy is the chairman of the Finance Committee in charge of the copyright campaign.

The entire broadcasting industry has a vital interest in these proceedings. By an interesting coincidence they were begun on the day on which ASCAP put into effect a 33 1/3 per cent increase in its percentage exactions from all stations—raising them from 3 to 4 per cent on station income.

PROGRAM CLEARING HOUSE

(D 2:4) "THE HIGGINS CORNERS MUSIC MAKERS." Thirty minutes. Two characters. The program revolves about the Saturday night dances which are held at the Higgins Corners

MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.

General Store. Silas Hicks and Joshuway Potts, proprietors of the store, are the characters involved. The individual episodes revolve about doings and discussions in the town containing a wealth of humor. The dialogue is so developed as to enable the insertion of hill-billy or bread-down music between its various parts, the intention of the program being primarily to dramatize this type of music. The program should be of considerable interest to stations possessing audiences liking this type of musical entertainment. A number of merchandising tie-ins are possible. The program is by the author of "Good Evenin' Judge." The price per thirty-minute program is $1.50.

(D 3:3) "THE ALASKANS." Thirty minutes. Eight characters. This can be cut to five if the introduction to the act, wherein the story of each episode is recounted prior to its dramatization, is eliminated. The plot of the program revolves about events in the history of Alaska, beginning with the early days and continuing up until a few years ago. There are 19 episodes available at the present time.

HIGH FREQUENCIES FOR BROADCASTING

The policy of the Federal Radio Commission during the past several years in regard to the allocation of ultra-high frequencies (frequencies in excess of 30,000 kilocycles) has been such as to promote experimental use of such frequencies to determine their suitability to the various public services. Numerous experimental grants have been made for point-to-point, police, aeronautical, television, and other uses. No commercial grants have as yet been made, although use of high frequencies for private purposes has been authorized experimentally in some instances.

Much information has been obtained, through experimental exploitation of the ultra-high frequencies, on the propagation characteristics, apparatus limitations, and adaptability to the several interested services. Based on the information at hand, and on additional information constantly being collected, it is not unreasonable to expect the Federal Radio Commission to establish a definite assignment of ultra-high frequencies to the various services to supersede the present experimntal grants.

So far, no regularly licensed broadcasting station has taken advantage of the opportunity to exploit the ultra-high frequencies for broadcasting service, other than for broadcast pick-up work. In view of the rather interesting possibilities in the use of these frequencies for local coverage, it would seem that broadcasting interests might investigate such possible use in order to have a firm basis for establishment of any claims to this portion of the spectrum that may be justifiable.

A 100-watt ultra-high frequency broadcasting station, properly located, may have a local coverage or radius of 10 to 15 miles. High-quality transmission is readily accomplished; 15,000-cycle band widths may be used, and it is entirely possible that binaural transmission and reception may be experimentally utilized.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Banta-Carbona Irrigation District Bondholders Protective Committee, San Francisco, Calif. (2-150)
"The Barnett Plan," Ben G. Barnett, Trustee, Oklahoma City, Okla. (2-158)
Bevier Drill Company Founders Syndicate, Duluth, Minn. (2-154)
Buffalo Ankerite Gold Mines, Ltd., Buffalo, N. Y. (2-156)
Carolina Mills, Cowpens, S. C. (2-153)
Fresno Petroleum Company, Houston, Tex. (2-160)
Lucky Wright Royalty Syndicate, Santa Fe, N. M. (2-152)
Protective Committee for Holders of National Union Mortgage Company, Gold Bonds, Baltimore, Md. (2-161)
R. B. C. Fund, Inc., Boston, Mass. (2-155)
Southern Crude Corporation, Los Angeles, Calif. (2-157)
Union Central Gold Mines, Inc., Seattle, Wash. (2-151)
Van Cortlandt Recreation Corp., New York City. (2-149)
W. R. Wallace, Inc., Syracuse, N. Y. (2-169)

PETTEY AWAY

H. L. Pettey, Secretary of the Federal Radio Commission, will go to Kansas City on August 30 to attend the rally of the Young Democratic Clubs of America.

NEWMAN LEAVES COMMISSION

Hobart A. Newman, an attorney of the Radio Commission during the past couple of years, resigned recently and has become associated with the legal staff of NRA.

Andrew G. Haley, of Tacoma, Wash., has been appointed to succeed Newman. He will take office September 1.

WMCA APPLICATION CONSIDERED

The Federal Radio Commission this week referred to its Legal Division for opinion the agreement entered into between the Knickerbocker Broadcasting Company and the Federal Broadcasting Corporation under which the latter corporation would acquire certain rights to the facilities of Station WMCA in New York.

In connection with the decision to refer the agreement to its Legal Division, Judge Eugene O. Sykes, Chairman of the Commission, addressed a letter to counsel for the station, which reads in part as follows:

"It is noted from your letter that copies of the contract were forwarded so that the Commission may determine whether any action by the Commission is necessary or so that you may be advised whether the contract is in violation of the law, Commission regulations, or Commission policy. In view of this request the Commission has decided to consider the matters to which you address its attention. Under date of August 16, 1933, two letters were sent under the signature of the Secretary of the Commission, addressed to Messrs. Webster and Spearman, in reply to your letter of August 15, 1933. These two letters, prepared and sent prior to Commission consideration of the questions involved, should be disregarded by you.

"When a determination is reached by the Commission relative to the request contained in your letter of August 15, you will be advised."

On August 29, Commissioner Harold A. Lafount issued a statement criticizing the agreement in which he said in part:

"I am unwilling to assign to Knickerbocker Broadcasting Company, Inc., or any other licensee, the obligation imposed upon us by Congress to decide who shall be charged with the responsibility of rendering that service. If this policy is adopted, any individual or corporation could control the character of program service to be rendered and price charged for time over any or all stations in a city, state, or even in the entire country. It would be possible for a former licensee whose application for renewal license had been denied, after a finding had been made that the continued operation of a station by him would not be in the public interest, thus to secure rights on the air otherwise denied him. I say such an individual or corporation could, under the agreement here referred to, acquire complete control of a station's time without the Commission's knowledge that such a condition existed.

"The licensee has an obligation to the public that in my opinion cannot be transferred. Licenses may be transferred with the consent of the Commission, but the Commission is without authority to grant licenses to individuals or corporations for nothing. The requirement for the valuable franchise is that the licensee (not his assignee) operate the station in the public interest.

"I fully appreciate the fact that under our system, broadcasters must sell time to advertisers, etc. This, however, is done partly to provide revenue to supply programs beneficial to and in the interest of the community. The time is sold in short periods to numerous advertisers, and represents only a portion of the broadcast hours. But in the case here referred to, it is a complete sell-out, no time being left for the licensee to himself render a public service. There is no doubt in my mind that the licensee has under this agreement lost control, not of the operation of the equipment, but of the time, and since that is actually the only matter in which the public is interested or may derive any benefit, I must and do conclude that the license should be held by the parties undertaking the public service."

BRITISH REGIONAL PLAN PROGRESSES

The West Regional station of the British Broadcasting Corporation was put into operation recently, it has just been announced. This station is one of five twin-wave transmitters provided for in the so-called Regional Plan of the B.B.C., by which it is expected two programs will be made available to all of England. The plan was instituted in 1929 and since then has been progressing very slowly towards its realization.

FULL MEMBERSHIP COMMISSION HERE

Commissioners Brown and Starbuck are expected to return to Washington on September 5. At the meeting on that day, therefore, all of the members of the Commission will be present for the first time since early in July.

COMMISSIONER ZOOK TO BROADCAST

The Hon. George F. Zook, newly appointed U. S. Commissioner of Education, will deliver a radio talk on Monday, September 11, at 7:30 oclock. Commissioner Zook will speak on "The Emergency in Education."

HEADQUARTERS FLIES BLUE EAGLE

NAB Headquarters is flying the Blue Eagle. The Managing Director this week signed the President's Agreement and the Certificate of Compliance and the office is now operating in strict compliance with the agreement.

BUSY DAYS AT NAB OFFICE

Work on the broadcasters' code has claimed a large part of the time of the Managing Director's office during the past week. Routine work was necessarily sidetracked in the effort of the Headquarters office to secure Blue Eagles for the radio industry before September 1.

TRADE STATISTICS ENCOURAGED BY NRA

A wide range of new trade information will be gathered as a result of the adoption of codes of fair competition under the NRA, it is apparent from the codes already adopted and in process of formulation. Provision is made in many of these for the reporting on a uniform basis by all members of the trade statistics which have never before been gathered regularly or on a wide scale.

In addition to furnishing the industries and trade with operating figures upon which they can judge their own production, stocks, costs and similar indices, these figures should prove of great value in the marketing field to those selling their produce or services to these trades. Available industrial statistics are being used to a greater extent than ever before as a result of the rapid organization of trades which is taking place.

ADVERTISING AGENCIES SUBMIT CODE

False ballyhoo would be eliminated from advertising columns of press and magazines under the terms of a proposed code of fair competition by advertising agencies submitted to the National Recovery Administration by advertising agencies.

The code brands as unfair practices the preparation and handling of ads containing untruthful, misleading or indecent statements.

Alleged savants who, unrestricted by facts, are quoted in extravagant claims for products, are directly aimed at by the paragraph in the code which says:

"Pseudo-scientific advertising, including claims insufficiently supported by accepted authority, or that distort the true meaning or application of a statement made by professional or scientific authority, constitutes an unfair practice."

Testimonial advertising would be limited under paragraph 7 of the code which says:

"Testimonials which do not reflect the real choice of a competent witness constitute an unfair practice."

Further muzzling the fantasies of copy-writers, the code even brands as unfair practice indirect misrepresentation of a product or service.

Misleading price claims also are prohibited.

Commission-splitting, or handing back to the advertiser part of the commission he pays, is another unfair practice which would be banned by the code, forbidding such rebates.

KVOA LICENSE IS RENEWED

The Radio Commission has granted a license renewal to Station KVOA, Tucson, Ariz., to operate on a frequency of 1260 kc., 500 watts, specific hours of operation, and also granted a voluntary assignment of license to the Arizona Broadcasting Company, Inc., reversing Examiner Pratt in his Report No. 464.

The Commission found, in its opinion, that the Arizona Broadcasting Company is in fact the real applicant for the broadcast license and that it is shown to be "legally, and financially qualified to operate a broadcast station." "The operation of Broadcast Station KVOA," says the Commission, "under the new management and with the new capital provided for in the application under consideration, may be expected to serve the public interest, convenience and necessity."

RADIO MANUFACTURERS UNDER NEMA CODE

The RMA has withdrawn the code submitted to the National Recovery Administration several weeks ago and has announced its willingness to abide by the provisions of the Code of Fair Competition for the Electrical Manufacturing Industry which was approved by the President on August 4. Manufacturers of receiving and television sets, tubes, parts, cabinets, accessories, loud speakers, condensers and sound distribution equipment will therefore be placed under the electrical manufacturing code.

MICROPHONE POLITICS

The controversy between the Swiss Broadcasting Society and the government on the manner in which political broadcasts are to take place, mentioned in an earlier issue of NAB Reports, has finally resulted in the following complicated set of regulations:

1. Opposing views may be broadcast before each federal election provided that the two views are given on the same day, and that they follow each other immediately.
2. The duration of the two talks is limited to 60-70 minutes at the very most.
3. The two lecturers will interchange their manuscripts.
4. It is prescribed that the lecturer who speaks in favor of the project adopted by the Federal Chamber (the Swiss Congress) will speak last.
5. The opposing viewpoints must be given during the week preceding the election.

The Swiss Broadcasting Society is still studying the possibility of broadcasting controversial discussions of political, economic and other subjects of general interest. It seems that even in highly democratic Switzerland, free speech by radio is subject to severe limitations.

TOY TRANSMITTERS MUST BE LICENSED

The Legal Division of the Radio Commission has held that toy radio transmitters must be licensed the same as any other transmitter.

The question came before the legal department because of the manufacturing of toy radio transmitters for the Christmas trade, which are said to have a range of some 200 yards. The question has never come before the Radio Commission itself for decision.

ANOTHER RCA SUIT FILED

A petition for writ of mandamus has been filed in the Supreme Court of the District of Columbia by Gerald V. Moore, of Washington, D. C., asking that the Court compel the Federal Radio Commission to cancel the license of Station WMAL, Washington, which is leased by the National Broadcasting Company.

The petition is practically identical with that filed several weeks ago by C. Wood Arthur, also of Washington, which was dismissed by the Court. Mr. Moore attempted to intervene in the Arthur petition when it was filed, but permission to do this was refused by the Court.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Wednesday, September 6, 1933

Hearing before Commission en banc

WLWL—Missionary Society of St. Paul the Apostle, New York, N. Y.—Modification of license to change from specified hours to unlimited time.

WPG—WPG Broadcasting Corp., Atlantic City, N. J.—Renewal of license.

Thursday, September 7, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 watts to 500 watts.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to increase night power from 250 watts to 500 watts.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to increase power from 250 watts to 500 watts.

Friday, September 8, 1933

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power from 250 watts to 500 watts.

NEW—Leo J. Omelian, Erie, Pa.—Construction permit to use 1420 kc., 100 watts night, 250 watts day, unlimited time, for new station.

APPLICATIONS GRANTED

First Zone

WNYC—City of New York, Department of Plant and Structures, New York City—Granted authority to operate from 8:30 to 10 p. m., EDST, September 4, 1933.

WESG—Cornell University, Elmira, N. Y.—Granted extension for the month of September of special authority to reduce hours of operation from daytime to the following specified hours: 8 a. m. to 1:45 p. m., and 4:30 to 7 p. m., EST.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted extension of special experimental authority to operate on 1280 kc., with 500 watts power, from September 9 to 90 days thereafter.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Granted CP to make changes in equipment.

WBAL—Consolidated Gas and Electric Light and Power Co., Baltimore, Md.—Granted extension to September 10, on special temporary authority to operate auxiliary 1 KW transmitter at new site.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Granted special temporary authority to operate from 10 to 11 a. m. and 1 to 4 p. m., EST, on September 5, 6 and 7.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 8:30 p. m. to 12 midnight, EST, September 5.

Second Zone

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted modification of CP to install vertical radiator.

Third Zone

WJBW—Chas. C. Carlson, New Orleans, La.—Granted CP to move transmitter and studio locally.

WSOC—WSOC, Inc., Charlotte, N. C.—Granted modification of CP approving transmitter and studio sites; extending commencement date to 10 days from this date and completion date to 70 days from this date.

WSB—The Atlanta Journal Co., Atlanta, Ga.—Granted authority to determine power by direct measurement.

WSB—The Atlanta Journal Co., Atlanta, Ga.—Granted license covering increase in power, installation of new equipment, and move of transmitter; **740 kc.**, 50 KW, unlimited time.

WGCM—Great Southern Land Co., Gulfport, Miss.—Granted authority to remain silent from October 1 through December 29, on account of business conditions.

Fourth Zone

WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Granted modification of license to change name to Missouri State Highway Patrol.

Fifth Zone

KFWI—Radio Entertainments, Ltd., San Francisco—Granted extention of authority to remain silent for 30 additional days from August 31.

SET FOR HEARING

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Modification of license to change hours of operation from daytime to local sunset to 6 a. m. to 7 p. m., and operate during night hours with 2½ KW power.

NEW—Central Broadcasting Co., Davenport, Iowa—CP, **1310 kc.**, 100 watts, unlimited time (facilities of WIAS).

NEW—The Journal Co. (The Milwaukee Journal), Ellis, Wis.—CP, **900 kc.**, 1 KW night, 2½ KW day. (Facilities of WHA and WLBL. To consolidate WHA and WLBL into new station.)

NEW—Frank Wilburn, Prescott, Ariz.—CP, **1500 kc.**, 100 watts, unlimited time (facilities of KPJM).

KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to increase daytime hours to unlimited, using same power as now licensed, 100 watts (facilities KFWI).

ORAL ARGUMENT GRANTED

Oral argument, before the Commission en banc, will be held on October 11, 10 a. m., in re Examiner's Report No. 497, involving stations WIP, WFI, and WLIT, in Philadelphia.

MISCELLANEOUS

City of Atlantic City, New Jersey—Granted permission to intervene in application of WLWL, New York, for modification of license so as to operate full time on **1100 kc.** Station WPG now operates on that channel. Atlantic City is the owner of the equipment and property of WPG, which has been leased to WPG Broadcasting Corp., licensee of WPG.

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Denied special authority to operate until 8 p. m. during September and October.

APPLICATIONS DISMISSED

The following cases, heretofore set for hearing, were dismissed at request of applicants:

WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of license, 250 watts 1 KW LS, **590 kc.**, unlimited time.

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of license, **680 kc.**, 1 KW, unlimited time.

WJAR—The Outlet Co., Providence, R. I.—Modification of license, **890 kc.**, 500 watts, unlimited time.

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Modification of license, **600 kc.**, 500 watts 1 KW LS, unlimited time.

APPLICATIONS RECEIVED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Extension of special temporary experimental authorization to synchronize with WJZ (**760 kc.**) when WTIC operates on **1060 kc.**, from 9-1-33 to 12-1-33.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit to make changes in equipment.

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit for new equipment and increase power from 250 watts to 1 KW night, 2½ KW to local sunset, amended as to equipment and to request increase in hours to one-third time.

Second Zone

WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of construction permit granted 6-30-33 to extend date of completion to 5-1-34.

WCAU—WCAU Broadcasting Company, Philadelphia, Pa.—Authority to determine operating power by direct antenna measurement.

Third Zone

KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Modification of construction permit to extend completion date.

KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of construction permit to extend commencement and completion date.

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to change frequency from **1200 kc.** to **1500 kc.**, move transmitter and studio from Huntsville, Ala., to a site to be determined in Durham, N. C., and increase hours of operation from six-sevenths time to unlimited time, resubmitted and amended to omit request for change in hours. Request facilities WBHS be transferred from Alabama to North Carolina.

Fourth Zone

None.

Fifth Zone

KRE—First Congregational Church of Berkeley, Berkeley, Calif.—Modification of license for change in specified hours of operation from daily except Sunday: 6:30 a. m. to 9:30 a. m., 12 noon to 3 p. m., 6 p. m. to 9 p. m.; Sunday, 10 a. m. to 2 p. m., 4 p. m. to 6 p. m., 6:45 to 9:45 p. m., PST, to daily, 9 a. m. to 1 p. m., 5:30 to 10:30 p. m.; Sunday hours as at present.

KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit granted 6-23-33 for changes in equipment. (Resubmitted with corrections made.)

NEW—Magic Isle Broadcast Co., E. L. Mathewson, Pres., H. O. Elsner, Bus. Mgr., A. C. Freeman, Tech. Director, Avalon, Calif.—Construction permit for new station to use **1220 kc.**, 500 watts, unlimited time.

KNX—Western Broadcast Company, Los Angeles, Calif.—Special temporary experimental authorization to use an additional 25 KW on experimental basis. (Resubmitted on correct form.)

KIEM—Harold H. Hanseth, Eureka, Calif.—Special temporary experimental authorization to use hours from local sunset to 10 p. m., PST, on experimental basis for six months. (Resubmitted on correct form.)

APPLICATIONS RETURNED

The following applications have been returned to the applicants:

NEW—F. A. Atkinson, for Valley Broadcasting Co., Tarentum, Pa.—Application for construction permit for new station to use **1420 kc.**, 50 watts, limited time, 10 hours daily. (Improperly filed, all sections not answered, Rule 77 re hours, insufficient information on transmitter location, equipment unsatisfactory.)

NEW—Paul K. Lipps, M. D., Fort Worth, Tex.—Construction permit for new station transmitter to be located at Crowley, Tex., to use **960 kc.**, 50 watts, day; hours, 9 a. m. to 5 p. m. (Rule 6a, c, d; frequency Canadian exclusive; equipment; and insufficient information on proposed transmitter location.)

NEW—Metro Broadcasting Co., A. Tornek and R. Lillie, East Los Angeles, Calif.—Construction permit for new station to use **820 kc.**, 100 watts night, 250 watts to local sunset, also requested daytime only, facilities formerly assigned KGEF. (All sections not answered, inconsistent re hours, insufficient information on transmitter location, facilities requested already assigned to KFAC.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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CODE COMMITTEE MEETING

A meeting of the NAB Code Committee will be held at Hotel Washington, Washington, D. C., on Monday, September 18, at 10 a. m. Stations desiring to present suggestions relating to the code of fair competition for the broadcasting industry as submitted by the NAB to the NRA may do so either by appearing personally at the time and place of the NAB committee hearing or by written statement. The Committee consists of Alfred J. McCosker, president of the NAB; Philip G. Loucks, managing director of the NAB; Frank M. Russell, NBC; Harry C. Butcher, CBS; G. A. Richards, WGR; Quin Ryan, WGN; John Shepard III, WNAC; Leo Tyson, KHJ; I. Z. Buckwalter, WGAL; John Elmer, WCBM, and John W. Guider, counsel. Written statements should be addressed to NAB Headquarters, National Press Building, Washington, D. C.

NAB CODE HEARING SEPTEMBER 20

The NRA announced this week that Wednesday, September 20, has been fixed as the date for the public hearing on the code of fair competition for the broadcasting industry as submitted to the NRA by the NAB. The official notice of hearing is here reproduced:

NATIONAL RECOVERY ADMINISTRATION
Notice of Hearing: No. 88
September 5, 1933.

RADIO BROADCASTING INDUSTRY:

The above industry, as represented by the National Association of Broadcasters, Inc., claiming to represent approximatelv 82 percent of the volume of business done by the radio broadcasting industry, with its membership approximately 42 percent of the broadcasting stations of the United States, has submitted a proposed Basic Code of Fair Competition, copies of which are available at the office of the National Recovery Administration, Room 3316, Department of Commerce, Washington, D. C.

The Code for the Radio Broadcasting Industry in its present form merely reflects the proposal of the above mentioned industry, and none of the provisions contained therein are to be regarded as having received the approval of the National Recovery Administration as applying to this industry.

Notice is hereby given that a Public Hearing on this Code will be conducted by the Administrator, beginning at 10 a. m., Wednesday, September 20, 1933, in the Caucus Room of the New House Office Building, in Washington, D. C., and continuing until completed. An opportunity to be heard (either in person or by duly appointed representative either by appearance or by sending a written or telegraphic statement) will be given to persons or groups who can show a substantial interest as workers, employers, consumers or otherwise, in the effect of any provision of the proposed Code.

Those wishing to be heard must comply with the following simple requirements:

(1) A written or telegraphic request for an opportunity to be heard must be filed before noon on Tuesday, September 19, 1933, with the Administrator, Room 4217, Department of Commerce, Washington, D. C.

(2) Such request shall state the name of (a) any person seeking to testify in the Hearing, and (b) the persons or groups whom he represents.

(3) Such a request shall contain a statement setting forth without argument, a proposal: (1) for the elimination of a specific provision of the Code; or (2) a modification of a specific provision, in language proposed by the witness; or (3) a provision to be added to the Code, in language proposed by the witness.

(4) At the Public Hearings all persons are regarded as witnesses and shall present orally facts only and not argument. Written briefs or arguments may be filed, but oral presentations will be confined to factual statements only.

(5) In the discretion of the Deputy Administrator in charge of the Hearing, persons who have not complied with the requirements of paragraph (1), above, may be permitted at any time prior to the close of the Hearing to file written statements containing proposals for eliminations from, modifications of, or additions to the Code supported by pertinent information or argument. Such written statements must be condensed as much as possible.

Public Hearings are solely for the purpose of obtaining in the most direct manner the facts useful to the Administrator, and no arguments will be heard or considered at this time. Representation of interested parties by attorneys or specialists is permissible, but it is not to be regarded as necessary. Industry, workers and the consuming public will be represented by special advisers employed by the Government.

HUGH S. JOHNSON,
Administrator.

SOL. A. ROSENBLATT,
Deputy Administrator.

BROADCASTERS DO THEIR PART

Broadcasting stations throughout the United States are flying the Blue Eagle, famous insignia of the NRA.

With the approval by General Johnson of the NAB substitutions in the blanket code on August 31, several hundred stations signed the President's Reemployment Agreement and procured the Blue Eagles. Both the National Broadcasting Company and the Columbia Broadcasting System announced simultaneously on September 6 that they had signed the President's Agreement.

The official text of the NRA announcement follows:

PETITION TO THE ADMINISTRATOR FOR NRA CONSENT TO THE SUBSTITUTION OF PARAGRAPHS, ARTICLE IV, SECTION 3, SECTION 4, PARAGRAPHS (D) AND (E) OF A CODE OF FAIR COMPETITION FOR THE RADIO BROADCASTING INDUSTRY FOR PARAGRAPHS 3 AND 4 OF THE PRESIDENT'S REEMPLOYMENT AGREEMENT.

The undersigned, being duly constituted representative of the RADIO BROADCASTING INDUSTRY do hereby petition the National Recovery Administrator to consent to the substitution of the following paragraphs of a code of fair competition for the RADIO BROADCASTING INDUSTRY heretofore submitted:

For Paragraph 3 of the President's Agreement (Code Reference: Art. IV, Sec. 3, Sec. 4, Paragraphs (d) and (e)).

ELEVENTH ANNUAL CONVENTION
of the
NATIONAL ASSOCIATION OF BROADCASTERS
OCTOBER 8, 9, 10, 11, 1933 - - WHITE SULPHUR SPRINGS, W. VA.

> No factory or mechanical worker or artisan (other than radio operators, control men, announcers, production men, and employes on special event programs) shall be employed more than a maximum of 40 hours per week, nor more than 8 hours in any one day. Radio operators, control men, announcers, production men, and employes engaged on special event programs, shall not be employed more than a maximum week of 48 hours.

And for Paragraph 4 of the President's Agreement (Code Reference: Sec. 4 (a)).

> The maximum hours fixed in the foregoing paragraphs (2) and (3) shall not apply to employes in establishments employing not more than two persons in towns of less than 2,500 population which towns are not part of a larger trade area; nor to managerial, executive and supervisory employes and production men and announcers who receive $35.00 or more per week; nor to employes on emergency maintenance and repair work; nor to very special cases where restrictions of hours of highly skilled workers on continuous processes would unavoidably reduce production, but, in any such special case, at least time and one-third shall be paid for hours worked in excess of the maximum. Population for the purposes of this agreement shall be determined by reference to the 1930 Federal Census.

(Signed) PHILIP G. LOUCKS,
Representing National Association of Broadcasters.

Dated August 31, 1933.

After consideration, and with the approval of labor advisors and industrial advisors, as shown hereon, I recommend that NRA elect to substitute said Code provisions for said provisions of the PRA and to authorize employers to sign the agreement subject to such substitutions and to signify their compliance with the PRA by adding to the standard statement of compliance the following sentence:

To the extent of NRA, consent as announced, we have complied with the President's Agreement by complying with the substituted provisions of the Code submitted for the Radio Broadcasting Industry.

(Signed) ROBERT K. STRAUS,
Chairman of Policy Board.

Approved: L. D. TOMPKINS, Industrial Advisor; W. J. WOOLSTON, Labor Advisor.

Approved as to form: WILLIAM P. FARNSWORTH, Legal Division.

After the date hereof, the Certificate of Compliance signed by employers in such Trade Industry with the additional note above mentioned will entitle them to National Recovery Administration Insignia. RAY D. SMITH, for and in the absence of T. S. HAMMOND, Director of President's Emergency Reemployment Program.

Approved as an election by the NRA under Section 13 of the President's Reemployment Agreement:

HUGH S. JOHNSON,
Administrator.

Req. 462.

SUIT TO DISSOLVE ASCAP

The anti-monopoly suit brought in the Federal Courts to dissolve the American Society of Composers, Authors and Publishers, by radio station WIP of Philadelphia, not only charges ASCAP with being an illegal conspiracy to enforce exhorbitant copyright demands against broadcasting stations but also unlawfully to eliminate competition among music publishers and composers, according to a summary prepared by Oswald F. Schuette, NAB copyright director.

The suit was filed September 1 in the United States District Court for the Southern District of New York by the Pennsylvania Broadcasting Company, owner and operator of Radio Station WIP at Philadelphia. The defendants in the suit are Gene Buck, Louis Bernstein, Jerome Kern and E. C. Mills as officers, agents and members "of an unincorporated association known as American Society of Composers, Authors and Publishers."

The attorneys who filed the proceedings are Baker, Hostetler, Sidlo and Patterson of Cleveland, Ohio, and Isaac B. Levy of Philadelphia. Hon. Newton D. Baker, of the Cleveland firm, is the General Counsel of the National Association of Broadcasters on copyright matters. Mr. Levy is the Chairman of the NAB Finance Committee.

A Bill of Complaint declares that Radio Station WIP represents an investment of over $250,000 with a gross of operating costs of approximately $100,000 per annum It operates daily from 8:45 A. M. to 12:30 A. M. on a frequency of 610 kilocycles with 500 watts power, covers the city of Philadelphia, Pennsylvania, and substantial portions of the states of New Jersey, New York, Delaware and Maryland, extending to a population of practically three million persons.

The bill alleges that the membership of ASCAP approximates 107 music publishers including practically all of the leading music publishers' houses in the United States and approximately 700 composers and authors of popular classical music and lyrics. The bill charges:

> "Said association constitutes a conspiracy in restraint of trade and the object of the association is to fix prices and to monopolize and control for the benefit of the members the public performance of all forms of music and entertainment, including therefore particularly the communication thereof in intra and interstate commerce by means of radio broadcasting. It is further the object of said association, by means of such control, unlawfully to control and restrain the instrumentalities of interstate commerce, of which the radio broadcasting facilities of this plaintiff form a part."
>
> "In pursuance of the aforesaid object, said association requires:
>
> (a) that each member assign to the association the entire and exclusive right of public performance of all copyrighted compositions owned or controlled by its members;
> (b) that each member agree to assign, from time to time, such entire and exclusive rights to all original compositions which he may in the future compose, or the rights to which he may in the future acquire;
> (c) that each member agree not to grant any individual licenses in derogation of such assignment;
> (d) that each member surrender the right, individual to the copyright owner, to fix or determine the terms or conditions of any license or licenses covering his own compositions; and
> (e) that each member surrender his individual right to any profits otherwise traceable to the licensing of his compositions."

"In further pursuance of the aforesaid conspiracy," the bill charges that the defendants "have adopted and have compelled the plaintiff to accept, under threat of copyright infringement, a standard form of license agreement for radio transmission covering all of the copyrighted compositions which have been, or may in the future be assigned to the association by its members." The bill declares that "defendants refuse to license the broadcasting of particular compositions or the compositions of particular composers or authors, or to grant licenses for any limited number of performances, so that the plaintiff and other radio broadcasting stations are compelled to accept all or none of the compositions controlled by the defendants."

After setting out the terms of the "Standard license" the bill recites:

> "The amounts to be paid as so-called royalties under the aforementioned standard license agreement are not reduced or affected by the fact that the musicians or artists employed by the licensee may also be licensed to perform publicly the musical compositions controlled by the defendant, nor by the fact that the licensee may be authorized by another licensed radio broadcasting station to amplify and broadcast the program performed at such other station, nor is the licensee based upon the number of public performances of any particular composition or compositions, or the number of compositions embraced within such license which may be reproduced by the plaintiff, but said license fee, irrespective of the extent to which the license may be used, is arbitrarily based upon the income derived from all programs, including programs which are made up entirely of music belonging to other copyright owners or of music which is public domain and including programs which do not employ music at all.
>
> "The defendants refused to give to the plaintiff or to make public a list of the titles of the copyrighted compositions embraced within said license, and under threat of cancellation of said license and prosecution for copyright infringement have compelled the plaintiff and other licensee broadcasting stations to make periodic report of all compositions included in the

> licensee's radio programs and to furnish other information respecting the licensee's business, ostensibly for the purpose of accounting, but actually to enable the defendants to extend and perpetuate their control over copyrighted compositions and the agencies in interstate commerce using the same, in furtherance of their aforesaid illegal objects.
>
> "By means of the combination represented by said association, the defendants have gained control of practically all of the popular music for which there has been created a public demand, as well as the talent by means of which such compositions are produced. In consequence thereof, the plaintiff and its radio broadcasting facilities are subjected to the control of the defendants and their associates in the aforesaid unlawful association, and plaintiff is compelled to pay to the defendants as hereinabove alleged, extortionate and unreasonable sums under the guise of royalties, but in practical effect as a license fee for the privilege of operating its facilities as instrumentalities of interstate commerce on a commercial basis."

Concerning the ASCAP conspiracy against non-member publishers and composers, the bill alleges:

> "By reason of the conditions imposed by the defendants requiring plaintiff to accept a blanket license covering all of the copyrighted music controlled by said association, the plaintiff is not free to select the composition of other composers not members of said association without duplication of expense by way of royalty payments, and plaintiff is virtually compelled to broadcast only the music assumed to have been composed or acquired by members of said association. The defendants have thereby substantially eliminated competition among composers and among music publishers, and more particularly have eliminated competition in the composition and publication of musical compositions on the part of individuals not members of said association, to the detriment of the public interest, and of interstate commerce, and in furtherance of defendants' conspiracy and illegal monopoly."

The bill charges that ASCAP fixes or charges for public performance by enterprises other than broadcasting stations and adds:

> "In furtherance of defendants' plan to control directly the radio broadcasting facilities operated within the United States, including the facilities of the plaintiff, as a means of profit to the defendants and members of said association, the defendants have from year to year substantially increased the amounts charged for license privileges to radio broadcasting stations, including the plaintiff, and defendants threaten to, and will unless restrained, still further increase the amount of so-called royalty payments to a point where the defendants shall have gained the control of all benefits and profits of radio broadcasting and of the operation of the broadcasting facilities of the plaintiff."

The complaining station charges that it "will suffer damages unless the defendants are enjoined from carrying out the illegal purposes and methods of control herein complained of" and adds:

> "Plaintiff is ready and willing to pay reasonable royalties to all copyright owners whose compositions are used in the programs which are broadcast by plaintiff's station, and hereby offers to pay into court or secure the payment or perform and abide by such other provisions or conditions as the court may determine to reasonably compensate the copyright owners who are parties defendant herein, individually or by representation, for the public performance of all copyrighted compositions embraced within the license between said association and the plaintiff during the pendency of this suit, and for such reasonable time thereafter as will enable the parties to make fair and equitable arrangements for the future use of such copyrighted material."

The bill concludes with the following formal "prayers" to the court for relief:

> "That the combination represented by defendants under the name of American Society of Composers, Authors and Publishers, held to be in violation of the Anti-Trust Laws and that all contracts between said association and its members be declared void;
>
> "That the defendants and each of them be permanently enjoined from interfering with interstate commerce;
>
> "That the defendants and each of them be permanently enjoined from carrying on, or participating in, the operations of said association;
>
> "That defendants' contract with plaintiff be declared void, as being part of a scheme, forced upon plaintiff, to restrain interstate commerce and that defendants be enjoined from commencing any copyright infringement suits or actions, upon the giving of a bond by plaintiff to secure the payment of such reasonable royalties as the court may adjudge."

NRA PRAISES RADIO COOPERATION

In the official announcement of the NRA's approval of the substituted provisions for the President's Reemployment Agreement, tribute was paid to the cooperation of radio stations in making the campaign a success.

"The broadcasting industry generally has not only come under the Blue Eagle but at considerable cost to itself has rendered exceptional public service along with the press by carrying to the public vital information concerning the NRA campaign," the official announcement of the NRA stated.

PLANS FOR NAB CONVENTION

Despite the enormous pressure of work at NAB Headquarters due to the pending hearing on the broadcasters' code, plans are going forward for the eleventh annual NAB convention which will be held at White Sulphur Springs, W. Va., on October 8, 9, 10 and 11.

Invitations will be sent to all stations within the next few days.

While it is as yet too early to present a tentative program, business sessions will be confined to the mornings and evenings, leaving the afternoons free for the enjoyment of the many recreational opportunities at White Sulphur.

The program in the main will be confined to a discussion of important problems confronting the industry. The Commercial, Engineering, Program, and other committees will present reports of far-reaching importance, although discussion growing out of the NRA code and the copyright situations will have a prominent place on the program.

Reservations should be made by direct contact with the Greenbrier Hotel at White Sulphur Springs, W. Va.

REDUCED RAILROAD RATES TO CONVENTION

At the request of the Managing Director the various passenger associations are authorizing special round-trip rates, either direct or via various routes, to and from White Sulphur Springs, W. Va., for members of the NAB and their families attending the annual convention October 8, 9, 10 and 11. The convention is less than a month off. NAB members should now be actively making their plans to attend.

The special rate being allowed by the railroads is a round-trip ticket for one and one-third times the one-way fare. The reduced rate is to be obtained by the "Identification Certificate Plan." The Identification Certificates have already been ordered by the Managing Director and it is expected that they will be ready for distribution within the next ten days. Full instructions will accompany the certificates when they are sent to the members from NAB Headquarters. Since the supply is limited to the extent that it is not desired to waste them, one certificate will be sent to each member. However, upon receipt of a request the Managing Director will be glad to send whatever additional certificates may be needed by members.

It should be remembered that *one* certificate will take care of each member *and* the dependent members of his family. In most parts of the United States tickets cannot be purchased prior to October 5 and they are good for thirty days. They must be validated at White Sulphur Springs. Children of 5 and under 12 with parents get one-half of the special rate. The Managing Director is required to keep a record of the persons to whom the certificates are distributed.

It is with the deepest regret that we have learned of the death at San Antonio, Texas, of J. C. Cummings on September 3. Mr. Cummings had been ill for several months. He was one of the founders of Station WOAI and one of the pioneers in radio broadcasting. For a number of years he served with distinction on the Board of Directors of the NAB. His many friends in radio mourn his passing. The NAB has lost a valuable member and the industry has suffered an irreparable loss.

PROGRAM CLEARING HOUSE

The following programs are offered to member stations by the NAB Program Clearing House:

(D 8:4) "GOOD LIKKER." Two voices. Fifteen minutes. Program deals with humorous happenings in the hill-billy country. Is available for six-month period, and can be extended for longer series. Price upon request.

(D 3:4) "PIONEERS OF PROGRESS." Fifteen minutes. From three to ten voices required for various episodes. Program revolves around various periods in American pioneer history. Is available in any number of episodes desired. Price upon request.

(D 1:6) "THE MAN FROM MARS." A phantasy monologue suitable for sponsorship by some concern dealing either in electrical fixtures or a light and power company. Is available in as many episodes as may be desired. Fifteen minutes in length. Price upon request.

(Mis 6) "MEMORY LANE." A series of continuities suitable for use with a program reviving old favorites. Continuities are designed for a half-hour program and can be adapted to use with either records or live talent. Program has been well received over the station broadcasting it. Price $4.50 for one full week's program. Station is also willing to trade script for some other suitable type of program.

LAFOUNT MOVES TO RESCIND PARAGRAPH 118

Commissioner Lafount made a motion this week to rescind Paragraph 118 of the Commission's Rules and Regulations which limits the number of 50 KW stations to four per zone. This motion was referred to the Legal and Engineering Divisions of the Commission for study.

In presenting the motion Commissioner Lafount expressed the opinion the Commission should consider the merits of each application and render a decision based on public interest, convenience and necessity.

Under the allocation of November 11, 1928, eight cleared channels were assigned to each of the five zones.

PROSECUTE TEXAS "AIR PIRATES"

Col. Thad H. Brown, Vice Chairman of the Federal Radio Commission, has returned to his desk after an extended inspection trip of the field forces, and important conferences with several Federal district attorneys, during which he outlined plans for the prosecution of numerous "air pirates," notably in Texas.

Colonel Brown referred to the Federal district attorneys 12 cases charging individuals with the operation of radio broadcasting stations without a license from the Federal Radio Commission. Seven of these alleged violators will be prosecuted by the district attorney at Fort Worth, two in Federal courts in San Antonio, two in Houston, and one at Beaumont.

Realizing the seriousness of the offenses, the district attorneys assured Colonel Brown that they will vigorously prosecute all these cases to a final determination.

Colonel Brown has just been informed that the first Texas case is to be presented to a Federal grand jury at Amarillo on September 18, and the other cases will follow in short order. The district attorney at San Antonio expects to present his cases to the Federal grand jury the latter part of this month, and the district attorneys at Houston and Beaumont plan to present their cases to the jury the first week in October.

The Department of Justice has assigned an investigator from the Bureau of Investigation to assist the district attorneys and the radio inspectors in obtaining evidence for the successful prosecution of these cases.

Colonel Brown has just received a telegram from an inspector informing him that all but four of the unlicensed radio stations in west Texas have ceased operation as a result of the mobilization of the government forces in its campaign to clear the atmosphere of all "air pirates."

As the Commissioner who has supervision over the field force, Colonel Brown intends to continue relentlessly the fight against unlicensed stations, and points out that the Radio Act provides a fine of $5,000 or imprisonment of five years, or both, as the penalty for the operation of an unlicensed radio station. Already the Department of Justice, with the cooperation of the Commission, has obtained several convictions on charges of operating unlicensed stations, a notable case being that of George W. Fellowes, of St. Louis, Mo. Fellowes was sentenced to 1 year and 1 day in prison. When it developed he was an alien he was deported.

Colonel Brown is much gratified over the results of his trip, as he feels it is absolutely essential to stamp out, by drastic measures if necessary, all unlicensed radio stations to eliminate interference and provide good reception for listeners of duly authorized stations.

Colonel Brown also inspected several monitoring stations and conferred with inspectors in charge of a number of radio districts. He is convinced that the economy program recently inaugurated by the Commission has not reduced the efficiency of the field force. He says there is to be no let-up in the fight against the unauthorized use of radio waves and in the reporting of broadcasters who violate the rules and regulations of the Commission under the reorganization plan.

To obtain first-hand information concerning radio problems, Colonel Brown visited officials and stations in Chicago, Kansas City, Dallas, Fort Worth, San Antonio, Houston, Galveston, Beaumont, New Orleans, and Atlanta.

He found broadcasters are most optimistic over the outlook for business recovery.

Colonel Brown was accompanied by John B. Reynolds, Assistant Secretary, who was formerly connected with the Department of Justice. Both were highly pleased at the cordial receptions extended to them and the fine spirit of cooperation manifested by those engaged in radio activities, licensed by the Commission.

MICROPHONE TECHNIQUE DISCUSSED

Educators making use of the radio should make more serious attempts to catch the interest of the listener at the outset of the broadcast, should restrict their vocabularies to words commonly used and rich in associations, and should amply illustrate their points, if they are to be really effective in their broadcasts, is the opinion of Dr. Koon, Senior Specialist on Radio in Education, of the U. S. Bureau of Education.

Dr. Koon has recently completed a study of "The Art of Teaching by Radio," which, because of its grasp of the fundamentals of all broadcasting and its practical suggestions for the effective presentation of radio programs, should be on the desk of every broadcaster. Copies of the booklet can be secured from the Superintendent of Documents, Government Printing Office, Washington, D. C.

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Advance Aluminum Castings Corp., Chicago, Ill. (2-164)
Artemisa Mines, Ltd., Bisbee, Ariz. (2-166)
Bagdad Copper Products, Inc., New York City. (2-165)
California-Mother Lode Gold Mines, Inc., Wilmington, Del. (2-172)
Enderly Corporation, New York City (2-163)
Gold Hill Mines, Inc., Pocatello, Idaho. (2-169)
Humphreys Gold Corp., Denver, Colo. (2-162)
Liberty Brewing Company, Baltimore, Md. (2-168)
Magnus Automatic Machine Company, Waynesboro, Pa. (2-170)
Peckham Hill Gold Mines, Inc., Reno, Nev. (2-171)
Van Nostrand Brewing Company, Charlestown, Mass. (2-167)

JAPANESE ADVERTISING DEVICE

A novel burglar alarm which may also be used as an advertising device is claimed to have been developed by a Japanese firm, according to Assistant Trade Commissioner Donald W. Smith, Tokyo, in a report to the Department of Commerce.

The new device which is called the "Radio Alarm," operates from the electric capacity contained in the human body. The delicate apparatus of the machine immediately starts an alarm ringing, switches on the electric lighting system or automatically fires a gun when a person comes within the range of the device.

The "Radio Alarm" may also be used in connection with advertising displays in shop windows. A dark window may be suddenly illuminated when a pedestrian approaches. The merchandise within the shop window may be caused to move, and advertising signs made to flash on and off.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, September 11, 1933

The continued hearing of 10 applications of WARD, WBBC, WLTH, and WFOX, all of Brooklyn, N. Y., which was commenced August 28, and adjourned September 1.

Wednesday, September 13, 1933

Oral argument, before the Commission en banc, on the applications of Herman Radner, Lansing, Mich., and Capital City Broadcasting Co., Lansing, Mich., for construction permit for new station to use 100 watts on **1210 kc.**

Friday, September 15, 1933

KOCW—J. T. Griffin, Chickasha, Okla.—Modification of construction permit to move KOCW to Tulsa.

APPLICATIONS GRANTED

WORC—Alfred F. Kleindienst, Worcester, Mass.—Granted extension of special temporary authorization to December 1, 1933, to operate on **1280 kc.**, with 500 watts, experimentally.

APPLICATIONS SET FOR HEARING

NEW—Harold Thomas, Waterbury, Conn.—Construction permit for new station to use **1190 kc.**, 100 watts, daytime.

NEW—Joseph S. Crawford and Leigh E. Ore, Erie, Pa.—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time.

WHBY—WHBY, Inc., Green Bay, Wis.—Construction permit to change frequency from **1200 kc.** to **1360 kc.**, change equipment, and increase power from 100 watts to 1 KW (facilities of WGES, WLBL, and facilities vacated by WJKS).

APPLICATIONS RECEIVED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co., Baltimore, Md.—License to cover construction permit granted 3-31-33 to move transmitter to Pikesville, Md., and make changes in antenna.

Second Zone

WKOK—Charles S. Blue, Sunbury, Pa.—License to cover construction permit granted 5-12-33 to move station from Lewisburg, Pa., to Sunbury, Pa., and make changes in antenna.

WIBM—WIBM, Inc., Jackson Mich.—Modification of license to change hours of operation from CST to EST (re-submitted).

Third Zone

KWEA—Hello World Broadcasting Corp., Shreveport, La.—License to cover construction permit granted 4-14-33 to cover new transmitter.

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Consent to voluntary assignment of permit and/or license to International Broadcasting Corp.

Fourth Zone

None.

Fifth Zone

None.

APPLICATIONS RETURNED

NEW—John Deme, Waterbury, Conn.—Construction permit for new station to use **930 kc.**, 250 watts, unlimited. (All sections not answered; insufficient information on transmitter location.)

WEHC—Community Broadcasting Corp., Charlottesville, Va.—License to cover construction permit. (Wrong transmitter location given.)

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Modification of license to cover transmitter move to one-half block east of Laurium, Mich. Station moved 4 years ago without authority. (Wrong form; should file construction permit.)

NEW—Southland Radio Corp., Shreveport, La.—Construction permit for new station to use **1210 kc.**, 100 watts, unlimited (facilities KWEA). (Request of applicant.)

NEW—Samuel Nathanuel Morris, Stamford, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts. (Failed to designate hours, Rule 6 a, c, d; insufficient information on transmitter location; frequency monitor.)

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Construction permit to change equipment, frequency, power and hours from **1310 kc.**, 100 watts, unlimited, to **780 kc.**, 250 watts, daytime. (Request of applicant's attorney.)

NEW—Stanley Church, Lewiston, Idaho—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited. (Rule 6 a, c, d; insufficient information on transmitter location; equipment.)

NEW—G. M. Duntley, San Francisco, Calif.—Construction permit for new station to use **930 kc.**, 500 watts (share KROW—facilities KFWI). (Oath improperly executed, and equipment.)

TENTATIVE HEARING CALENDAR

(Dates subject to change)

September 18, 1933

NEW—Eastern Oregon Broadcasting Co., Inc., LaGrande, Ore.—Construction permit to use 100 watts night, 250 watts day, on **1500 kc.** (facilities of KOAC).

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Renewal of license.

September 19, 1933

WKBB—Sanders Bros. Radio Station, Joliet, Ill.—Modification of license to change frequency from **1310 kc.** to **1420 kc.**

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change frequency from **1310 kc.** to **1420 kc.**

WEHS—WEHS, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

WHFC—WHFC, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

WKBI—WKBI, Inc., Cicero, Ill.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

September 20, 1933

Oral argument before Commission en banc

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to use unlimited time (facilities of WTAD).

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license, and construction permit to move station to East St. Louis, Ill.

September 21, 1933

NEW—Donald E. Bean and W. S. Clark, d/b as The Connecticut Broadcasting Co., Danbury, Conn.—Construction permit to use 100 watts on **1310 kc.**, daytime.

NEW—Lebanon Broadcasting Corp., Lebanon, Pa.—Construction permit to use 50 watts on **1500 kc.**, daytime.

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to change hours of operation.

September 22, 1933

KGIZ—Grant City Park Corp., Grant City, Mo.—Voluntary assignment of license to KGBX, Inc., and voluntary assignment of construction permit to move to Springfield and change assignment to **560 kc.**, 500 watts, day.

September 25, 1933

NEW—Nicholas Kuris, Muskegon, Mich.—Construction permit to use 100 watts on **1200 kc.**, daytime.

NEW—Willard G. DeMuth, Uhrichsville, Ohio—Construction permit to use 100 watts on **1370 kc.**, daytime.

WNBH—Irving Vermilya, tr. as New Bedford Broadcasting Co., New Bedford, Mass.—Modification of license to change frequency from **1310 kc.** to **1200 kc.**

September 26, 1933

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power from 500 watts to 1 KW.

WLCI—Lutheran Association of Ithaca, Ithaca, N. Y.—Renewal of license.

September 27, 1933

Oral argument before Commission en banc

NEW—Chas. W. Phelan, tr. as Casco Bay Broadcasting Co., Portland, Me.—Construction permit to use 500 watts on **1340 kc.**, unlimited time.

NEW—Portland Maine Publishing Co., Portland, Me.—Construction permit to use 500 watts on **1340 kc.**, unlimited time.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit to change from 100 watts, **1370 kc.**, specified hours, to 1 KW, **1340 kc.**, specified hours.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of construction permit to change from **1430 kc.**, 500 watts, unlimited time, to **1340 kc.**, 500 watts, unlimited time.

WRDO—WRDO, Inc., Augusta, Me.—Construction permit to move station to Portland, Me.

WILL—University of Illinois, Urbana, Ill.—Modification of license to acquire facilities of WKBS.

Hearings before Examiner

KOIN—KOIN, Inc., Portland, Ore.—Construction permit to increase day power to 2½ KW.

NEW—Wyoming Broadcasting Co., Cheyenne, Wyo.—Construction permit to use 500 watts night, 1 KW day, on **780 kc.**

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Modification of license to acquire unlimited time.

September 29, 1933

NEW—John L. Hopkins, Hammond, Ind.—Construction permit to use 1 KW on **1360 kc.**, share with WGES.

WGES—Oak Leaves Broadcasting Station, Chicago, Ill.—Modification of license to increase hours of operation.

WSBC—WSBC, Inc., Chicago, Ill.—Construction permit to move station to Hammond, Ind.

NEW—State Investment Co., Gary, Ind.—Construction permit to use 1 KW night, 1½ KW day, unlimited time, on **560 kc.** (facilities of WIND).

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Renewal of license.

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Modification of license to acquire unlimited time.

October 2, 1933

WINS—American Radio News Corp., New York City, N. Y.—Modification of license to increase power from 500 watts to 1 KW.

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Modification of license to change frequency from **1410 kc.** to **1380 kc.**, and change hours to unlimited.

NEW—Maurice Scott, R. D. Laird, Wm. M. Kahanowits, and I. Kahanowits, d/b as Greensburg Broadcasting Corp., Greensburg, Pa.—Construction permit to use 100 watts, daytime, on **1420 kc.**

October 3, 1933

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to change equipment and increase power from 50 watts to 100 watts.

October 4, 1933

Before Commission en banc

WGN—WGN, Inc., Chicago, Ill.—Construction permit to increase power from 25 KW to 50 KW.

WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Construction permit to increase power from 25 KW to 50 KW.

WBZ—Westinghouse Electric & Mfg. Co., Boston, Mass.—Modification of license.

WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—Construction permit to increase power from 10 KW to 50 KW.

October 6, 1933

KMLB—Liner's Broadcasting Station, Monroe, La.—Construction permit to change from 100 watts, **1200 kc.**, unlimited time, to **590 kc.**, 250 watts, specified hours.

October 9, 1933

NEW—Thomas R. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—Construction permit to use 250 watts, daytime, on **750 kc.**

October 10, 1933

KRGV—KRGV, Inc., Harlingen, Tex.—Modification of license to acquire facilities of KWWG.

KWWG—Frank P. Jackson, Brownsville, Tex.—Renewal of license.

October 11, 1933

Oral argument before Commission en banc

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power from 500 watts to 1 KW.

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.

October 12, 1933

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modification of license to change from 250 watts, **580 kc.**, unlimited time, to 500 watts night, 1 KW day.

WDAE—Tampa Publishing Co., Tampa, Fla.—Construction permit to increase day power from 1 KW to 2½ KW.

WRUF—University of Florida, Gainesville, Fla.—Renewal of license.

October 16, 1933

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Modification of license to increase hours to unlimited.

NEW—Fred L. Packard, S. Hepp, and Judge J. W. Schulman, d/b as Acme Broadcasting Co., Huntington Park, Calif.—Construction permit to use 500 watts on **1300 kc.**, sharing with KFAC.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to change frequency from **1430 kc.** to **780 kc.**, and increase day power from 1 KW to 2½ KW.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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PREPARATIONS FOR CODE HEARING

Preparations for the hearing on the broadcasters' code are being completed under the direction of the NAB Code Committee. The hearing will be held at 10 a. m. on Wednesday, September 20, in the Caucus Room of the new House Office Building, Washington, D. C.

The committee consisting of Alfred J. McCosker, president of the NAB; Philip G. Loucks, managing director of the NAB, and John W. Guider, counsel, has been busy with plans for the preparation and presentation of the broadcasters' case. The NAB Code Committee, authorized by the Board of Directors to act for the Association, will hold meetings at Hotel Washington, beginning at 10 a. m., Monday, September 18, for the purpose of hearing last minute suggestions for modifications in the code.

Deputy Administrator Sol A. Rosenblatt will preside at the hearing.

The NRA Industrial Advisory Board this week named James W. Baldwin, former Secretary of the Federal Radio Commission, as industrial advisor for the broadcasters' code.

The NRA Labor Advisory Board this week named Edward Nockels of the Chiicago Federation of Labor as labor advisor for the broadcasters' code.

The third advisor, to be named by the Consumers' Advisory Board, has not yet been appointed.

The duties of the advisors are to advise with the Deputy Administrator on changes in the code following the public hearing.

There have been but few requests for opportunity to be heard up to the time this goes to press. Representatives of the musicians' and electricians' unions have asked to be heard and the Actors' Equity also has sent in a request.

Immediately after the Wednesday hearing, a conference will be held during which evidence submitted will be considered. The code will then go to the President for approval and will become effective ten days after official approval.

NRA NEWS AND TRANSCRIPTIONS

Following recommendations from the NAB, the National Recovery Administration has created a daily news service which for the present will be available to stations which are not favored with network broadcasts of NRA activities.

In response to a circular sent by the Managing Director to all non-network stations, nearly 150 stations have already indicated a desire for the service and upon the basis of this report the service was established with approval of the NRA. The news service was started this week.

It is the plan of W. B. Dolph, director of radio activities of the NRA, and Harry R. Daniel, continuity writer, to make the service as valuable as possible both to the stations and the NRA.

Plans for the "BUY NOW" campaign now being worked out at NRA Headquarters embrace both radio and newspaper advertising campaigns. Twenty-four full-page newspaper advertisements are being sent to newspapers of the country, the space for which may be sold to advertisers. The Radio Division, upon the recommendation of the NAB, is planning a series of 24 electrical transcriptions which will be sent out to radio stations simultaneously with the newspaper ads. The NRA has no funds for the turning out of transcriptions and the stations will be asked to pay the production cost with the understanding that the series may be sponsored by as many advertisers who desire to sponsor the series.

The series will be adapted to sponsorship and will include dramatic skits performed by some of the country's most famous radio and stage stars. Stations will be queried on the subject by the NRA within the next few days. The "BUY NOW" campaign commences on October 1 and will run through November and December.

WHITE SULPHUR SPRINGS

Revision of the Constitution and By-Laws of the NAB, provided for under a resolution adopted at the St. Louis convention last November, will be one of the important subjects slated for discussion at the Eleventh Annual Convention of the NAB to be held at White Sulphur Springs, W. Va., October 8, 9, 10 and 11.

A committee consisting of William S. Hedges, chairman, Walter J. Damm and Harry Shaw, all past presidents of the NAB, has completed its work of drafting revisions to the Constitution and By-Laws and copies will be sent to all members within the next few days.

Indications are that a record crowd will attend this year's convention. The program being developed by the Convention Committee under the direction of Edwin M. Spence will have discussion of business problems as its keynote. Important committee reports are now being prepared and there will be many far-reaching recommendations laid before the meeting.

H. K. Carpenter, chairman of the Commercial Committee, has called a meeting of his committee at White Sulphur Springs for Sunday morning, October 8, at which time the Commercial Committee report will be whipped into final draft.

COMMISSION RESCINDS RULE 118

The Commission this week adopted a motion, made by Commissioner LaFount, rescinding Paragraph 118 of its Rules and Regulations, which limited the number of 50 kw. stations to four per zone.

Commissioner LaFount, in presenting his motion, said "Such limitations of power do not provide equal facilities of efficient use of frequencies." He said the Commission should consider the merits of each application for increased power on cleared channels.

FRC ON "TELEVISION"

"The Commission has recently received inquiries from individuals who are interested in the development of television. In addition, a considerable amount of newspaper publicity on television has been observed.

"In this connection, the following statement concerning television, which appears in the Commission's Sixth Annual Report to Congress for the fiscal year 1932, adequately expresses the attitude of the Commission toward television at this time:

" 'While no startling inventions have come to light in television during the past year, the progress that has been made has been marked by a steady improvement in the detail of pictures transmitted. This improvement has been made possible through increased attention to technical details in the optical pick-up system, in the photo-electric cell and amplifying systems, and in the actual modulation of the radio waves emitted. This development has in a general way paralleled the progress that was made in the early stages of sound broadcasting.

'Much attention has been given to the part of the spectrum in which television emissions will best fit. Although there are at the present time four 100-kilocycle bands between 2,000 and 3,000 kilocycles assigned to television, it has been evident for a considerable time that this space is not sufficient to meet the requirements of this new and growing art to furnish entertainment to the public. The experimenters have turned to the unexplored regions above 30,000 kilocycles. The work at these frequencies has shown signs of real promise as a future locus for this service, and the Federal Radio Commission has assigned wide frequency bands in this region for experimental work in television. Proposals have been received by the Commission from the industry to increase the space in this band in order to protect the future of television.

'Although considerable progress has been made in scanning methods, using both the mechanical type of scanning and the electrical or so-called cathode-ray type of scanning, it appears that many new developments must still be made before television can be accepted as a satisfactory entertainment service. While attempts have been made to broadcast scenes covering large areas, the majority of television stations have limited their transmissions to faces of one or two performers at most. This type of program, while of interest because of its novelty and usefulness for experimental work, has a very small amount of sustained "look-in" interest. Such programs fall far short of what the public has been led to expect in the way of entertainment considering especially the fact that the technical improvements made during the last few years in sight-and-sound motion picture technique have created in the mind of the public a desire for very high technical standards of performance.' "

WWL AND KWKH GET RENEWALS

The Radio Commission on September 15 reversed former Chief Examiner Ellis A. Yost in his Report No. 470, by granting a license renewal to Station WWL, New Orleans, but denying its application for full time on its frequency of 850 kilocycles.

It also reversed the Examiner by granting station KWKH, Shreveport, a license renewal and granting its application for the assignment of its license to the International Broadcasting Corporation.

The Commission retired to its files the International Broadcasting Corporation's application for a construction permit for a new station to operate on 850 kilocycles, part time, thereby upholding Examiner Yost.

In the case of the application of the National Union Indemnity Association of Shreveport, for a construction permit for a new station to operate part time on 850 kilocycles, the Commission dismissed the application. Examiner Yost had recommended that permission be granted to withdraw the application.

Station WSPA, Spartanburg, S. C., was denied a construction permit for a new station to operate on 850 kilocycles, thus sustaining Examiner Yost.

In its decision the Commission states that the present allocation of broadcasting facilities in the areas in these cases is more equitable than any new allocation that might be made on the basis of the applications in the case.

It was found also that "the showing made by applicants, for the facilities of KWKH is not sufficient to warrant deletion of said station."

The Commission states further that "while this record discloses instances of progress broadcast by station KWKH which are not meritorious and which should be condemned, the license of KWKH appears qualified legally, technically, and financially to continue the operation of the station in the public interest."

COMMISSION HITS STOCK PROMOTION

The Radio Commission on Tuesday granted the application of station W1XAL, Boston, for an experimental relay broadcasting license reversing Examiner Elmer W. Pratt in his Report No. 440. The Commission sustained the Examiner in the same report by denying the application of Station W1XS for experimental television license and denying license renewal for special experimental license to Station W1XAU.

In granting the application of W1XAL the Commission states that the applicant is financially qualified to carry on the experimental relay broadcasting and that the "tentative arrangements for experimental programs and the willingness and ability of the applicant to expend funds in the development of international programs and service, give promise of possible contributions to the development of shortwave broadcasting."

The Commission states in its opinion in connection with the denial to the other two stations that while they have the technical experience to operate the stations, that the licenses held from the Commission "* * * have been used as a basis for stock promotion out of all proportions to the actual accomplishment or prospects of accomplishment of the applicants."

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Chemical Products Manufacturing Corp., Baltimore, Md. (2-181)
Christian Moerlein Brewing Co., Inc., Cincinnati, Ohio (2-182)
Dana Point Corporation, Los Angeles, Cal. (2-178)
Eaton & Howard Management Fund "A-1," Boston, Mass. (2-189)
Eclipse Gold Mining Co., Montreal, Canada (2-180)
George M. Forman Realty Trust, Chicago, Ill. (2-190)
John Graf Brewing Company, Milwaukee. Wis. (2-196)
Guarantee Reserve Life Co., Fort Collins, Colo. (2-192)
Hamilton Manufacturing Co., Two Rivers, Wis. (2-177)
A. H. Ide & Company, Inc., Troy, N. Y. (2-193)
Industrial & Power Securities Co., Philadelphia, Pa. (2-186)
The Laclede Gas Light Company, St. Louis, Mo. (2-176)
Laclede Power & Light Company, St. Louis, Mo. (2-175)
Lockheed Aircraft Corporation, Burbank, Cal. (2-174)
Motors Securities Co., Inc., Shreveport, La. (2-188)
Mouquin Inc., Brooklyn, N. Y. (2-185)
Nicola Mines & Metals, Ltd., Vancouver, B. C. (2-184)
Norins Realty Co., Inc., Los Angeles, Cal. (2-187)
Pittsburgh Parts Corp., Pittsburgh, Pa. (2-194)
Plastic Products Engineering Corp., Newark, N. J. (2-179)
Travelers Publishing Corp., New York City (2-173)
United Gold Equities of Canada, Ltd., Charlottetown, Prince Edward Island (2-195)
World Finance Investment Trust, Boston, Mass. (2-183)
American Tung Oil Products Corp., Gulfport, Miss. (2-205)
Colorado National Gold, Inc., Colorado Springs, Colo. (2-200)
Consolidated Virginia & Andes Corp., San Francisco, Cal. (2-206)
Eaton & Howard Management Fund F, Boston, Mass. (2-203)
Edward Oil Company, Los Angeles, Cal. (2-197)
Genesee Brewing Company, Inc., Rochester, N. Y. (2-191)
H-A-P-I-A Health Institute Inc., Wilmington, Del. (2-208)
Indiana-Illinois Telephone Company, Indianapolis, Ind. (2-202)
Investment Company of America, Wilmington, Del. (2-207)
Stanley Steam Motors Corp., Chicago, Ill. (2-201)
Western Natural Resource Corp., Los Angeles, Cal. (2-198)

PROGRAM CLEARING HOUSE

(CH 5:2) "AUNT SUE AND POLLY." Fifteen minutes. Three characters; a woman, a girl thirteen or fourteen years of age, and an announcer. Aunt Sue tells stories to Polly, and Polly sings simple songs. The stories are the traditional nursery and fairy tale variety including ones such as "Red Riding Hood," and "The Three Little Bears." The program has been running five days a week for almost a year over a metropolitan station. It has been commercially sponsored. More than 12,000 letters have been received since the program has been on the air. The program is easy to produce and requires little rehearsal. The price is $5.00 per program.

EMERGENCY COMMUNICATION

Commissioner Lafount made a motion, which was referred to the Engineering and Legal Divisions for study, providing for the allocation of one or more frequencies for communication purposes in cases of disasters such as hurricanes, floods, earthquakes and fire.

In making his motion, Mr. Lafount said such catastrophies frequently destroyed or impaired existing communication facilities and relief depends upon radio communication. At the present time, he pointed out, it is necessary in such emergencies to depend on the amateurs. While commending their "invaluable service," he declared it is unfair to the amateurs to depend entirely upon them for communication. He expressed the view that a few battery sets kept in good condition to respond to drills frequently would prove invaluable in case of a disaster.

CLAIMS NRA INCREASED ADVERTISING

John Benson, president of the American Association of Advertising Agencies, today expressed the belief that the operations of NRA were responsible for increased advertising volume throughout the country.

A survey recently completed showed that newspaper display advertising, regarded as one of the accurate business barometers, had increased 16 per cent in August of this year as compared with August, 1932.

Mr. Benson's telegram follows:

"Gratifying to learn from your survey that newspaper advertising volume has increased 16 per cent during month of August, 1933, as compared with the same month last year. Undoubtedly this is largely due to NRA activities in making of codes and in the stimulation of employment. I offer our congratulations and sincere hopes that such progress may continue."

CORRECTIONS TO LIST OF BROADCASTING STATIONS

The following corrections should be made in the list of Radio Broadcasting Stations in the United States published by NAB, August 1, 1933, to make the list correct to September 1, 1933:

Freq.	*Call Letters*	*Studio Location*	*Alterations and Corrections*
570	WPCH	New York, N. Y.	Strike out all particulars.
570	WMCA	New York, N. Y.	U, quota units 0.6.
580	WSAZ	Huntington, W. Va.	Spec. experimental authority, power 1 KW.
590	WOW	Omaha, Nebr.	U, quota units 1.0.
590	WCAJ	Lincoln, Nebr.	Strike out all particulars.
880	KLX	Oakland, Calif.	Licensee, Tribune Publishing Co.
1180	KEX	Portland, Ore.	Licensee, The Oregonian Publishing Co.
1200	KFWF	St. Louis, Mo.	Strike out all particulars.
1200	KIGY	Lowell, Ariz.	Call letters changed to KSUN
1200	KGHI	Little Rock, Ark.	Power 250 watts, LS.
1210	WGCM	Mississippi City, Miss.	Licensee, Grace Jones Stewart, under trade name of Great Southern Land Co. (not inc.). CP, 250 watts, LS, quota units 0.09.
1240	WACO	Waco, Texas	Frequency 1420 kc., power 100 watts, S.H.
1260	KVOA	Tucson, Ariz.	Licensee, Arizona Broadcasting Co., Inc.
1270	KVOR	Colorado Spgs., Colo.	Licensee, S. H. Patterson.
1350	WCDA	New York, N. Y.	Licensee, Standard Cahill Co.
1350	WMSG	New York, N. Y.	Licensee, Standard Cahill Co.
1420	KGIW	Trinidad, Colo.	CP-T and studio, Alamosa, Colo.
1470	KGA	Spokane, Wash.	Licensee, Louis Wasmer.
1500	WKBV	Connersville, Ind.	CP-T and studio, Richmond, Ind.
1500	WKEU	La Grange, Ga.	CP covered by license.

Members of the National Association of Broadcasters are indicated in the Call Letter List in bold-faced type. Since publication of the list, the following stations have become members:

WLIT (560 kc.);
WAAT (940 kc.);
WBBZ (1200 kc.);
WHBU (1210 kc.);
KGBX (1310 kc.);
KPPY (1340 kc.);
KSO (1370 kc.);
KCMC (1420 kc.);
KDB (1500 kc.);
WQAM (560 kc.);
KFWB (950 kc.);
KERN (1200 kc.);
WSBC (1210 kc.);
KGCX (1310 kc.);
WBNX (1350 kc.);
KFJZ (1370 kc.);
WJMS (1420 kc.);
WMIL (1500 kc.);
KFRC (610 kc.);
WHN (1010 kc.);
KWG (1200 kc.);
WSOC (1210 kc.);
KFYU (1310 kc.);
WIBM (1370 kc.);
WLVA (1370 kc.);
WNBR (1430 kc.);
KFKA (880 kc.);
WDGY (1180 kc.);
KBTM (1200 kc.);
WCRW (1210 kc.);
KGB (1330 kc.);
KMAC (1370 kc.);
WLTH (1400 kc.);
WSFA (1410 kc.);
WMBQ (1500 kc.);

HOME ECONOMICS BROADCASTS

The average American radio station presents between one and two home economics programs, it was revealed in a study made of this type of program by the American Home Economics Association in cooperation with the U. S. Office of Education. Questionnaires for the study were prepared under the direction of Dr. Cline M. Koon, Senior Specialist in Radio in Education of that office.

A total of 342 stations were shown to broadcast 563 programs of this type, while national network companies broadcast twenty home economics programs. Of the entire number of programs 63% were sponsored, 5% partly sponsored and partly sustaining, and the remainder sustaining.

Approximately 69 per cent of the programs were broadcast in the morning, 29 per cent in the afternoon and 2 per cent in the evening. Talks on the preparation of food consumed 40 per cent of the time, while the remainder was devoted to other homemaking subjects. In the neighborhood of one-third of the sponsoring companies used mail response as an indication of the success of the program.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, September 18, 1933

NEW—Eastern Oregon Broadcasting Co., La Grande, Ore.—Construction permit for new station to use **1500 kc.**, 100 watts (250 watts day), unlimited time.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Renewal of license.

Wednesday, September 20, 1933

Oral Argument Before Commission en banc

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to acquire unlimited time (facilities of WMBD).

WTAD—Illinois Broadcasting Corp., Quncy, Ill.—Renewal of license, and construction permit to move to East St. Louis, Ill.

Thursday, September 21, 1933

NEW—Donald E. Dean & Wendell S. Clark, d/b as The Connecticut Broadcasting Co., Danbury, Conn.—Construction permit for new station to use **1310 kc.**, 100 watts, daytime.

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license to change hours of operation.

Friday, September 22, 1933

KGIZ—Grant City Park Corp., Grant City, Mo.—Voluntary assignment of license to KGBX, Inc., and voluntary assignment of construction permit to move to Springfield, Mo.

APPLICATIONS GRANTED

First Zone

WODA-WAAM—Wodaam Corp., Paterson, N. J.—Granted CP to combine stations WODA and WAAM, install new equipment at new location in swamps near Paterson Plank Road, near Carlstadt, N. J., use WAAM's present studio for both stations, and operate with 1 KW night, 2½ KW day, 6/7 time, sharing with WGCP 1/7 time.

WBNX-WMSG-WCDA—Standard Cahill Co., Inc., New York—Granted modification of license to consolidate stations WBNX, WMSG, and WCDA, to use transmitter and transmitter location at 138 Pine Street, Cliffside, N. J., main studio same as present studio used by WMSG and WBNX at 1100 E. 177th St., New York.

WBAL—Consolidated Gas and Electric Light and Power Company of Baltimore—Granted license covering move of transmitter and installation of new equipment; **1060 kc.**, 10 KW, shares with WTIC.

WSYB—Philip Weiss, d/b as Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authorization to operate from 10 a. m. to 12:30 p. m., EST, October 1, 8 and 15, 1933.

WNBZ—Earl J. Smith and William Mace, d/b as Smith & Mace, Saranac Lake, N. Y.—Granted temporary license pending hearing and decision on application for renewal.

Second Zone

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted modification of CP extending completion date from October 31, 1933, to February 1, 1934.

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted authority to determine operating power by direct measurement of antenna power.

WHBC—Edward P. Graham, Canton, Ohio—Granted license covernew equipment and increase in operating power from 10 to 100 watts; **1200 kc.**, specified hours.

WKOK—Charles S. Blue, Sunbury, Pa.—Granted license covering move of transmitter and studio and change in antenna; **1210 kc.**, 100 watts, specified hours.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted special temporary authorization to operate from 10 p. m., September 18, to 1 a. m., September 19, EST, provided Station WKOK remains silent.

Third Zone

KUOA—KUOA, Inc., Fayetteville, Ark.—Granted modification of CP extending completion date from August 29 to November 25, 1933.

KFPM—Dave Ablowich, d/b as The New Furniture Co., Greenville, Tex.—Granted special temporary authorization to operate as follows: from 9 p. m. to 12 midnight, CST, on Septemher 22, 29, 1933; October 6, 13, 20, 27 1933; Nov. 17, 1933; and from 3 p. m. to 6 p. m., CST, Novemher 3, 10, 24 and 30, 1933.

Fourth Zone

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted authority to determine the licensed power by direct measurement of antenna input in compliance with Rule 137. Also granted license covering change in equipment and increase in power; **570 kc.**, 1 KW night, 2½ KW day, unlimited time.

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted modification of CP to change equipment.

Fifth Zone

None.

APPLICATIONS SET FOR HEARING

KRE—1st Congregational Church of Berkeley, Calif.—Modification of license to change hours of operation from daily except Sunday, 6:30 to 9:30 a. m., 12 noon to 3 p. m., 6 to 9 p. m., to daily except Sunday, 9 a. m. to 1 p. m. and 5:30 to 10:30 p. m.; no change in Sunday hours of operation.

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Modification of license to use old transmitter as main transmitter for nighttime operation.

APPLICATIONS DENIED

WQBC—Delta Broadcasting Co., Inc., Vickshurg, Miss.—Denied authority to reduce hours of operation from unlimited to specified as follows: 10 a. m. to 2 p. m., 5 to 9 p. m., CST, from Septemher 1 to Novemher 1.

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Denied authority to remain silent pending decision on application to move station from Huntsville, Ala., to Durham, N. C.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WKBB—Sanders Bros. Radio Station, Joliet, Ill.—Modification of license, **1420 kc.**, 100 watts, specified hours.

WEHS—WEHS, Inc., Cicero, Ill.—Modification of license, **1310 kc.**, 100 watts, specified hours.

WHFC—WHFC, Inc., Cicero, Ill.—Modification of license, **1310 kc.**, 100 watts, specified hours.

WKBI—WKBI, Inc., Cicero, Ill.—Modification of license, **1310 kc.**, 100 watts, specified hours.

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license, **1420 kc.**, 100 watts, specified hours.

MISCELLANEOUS COMMISSION ACTION

The following application, heretofore set for hearing, was denied because applicant failed to enter appearance within time allowed:

NEW—Nicholas Kuris, Muskegon, Mich.—CP, **1200 kc.**, 100 watts, daytime.

KOCW—Oklahoma College for Women, Chickasha, Okla.—Granted permission to move station from Chickasha to Tulsa, following withdrawal of protest of KVOO at Tulsa.

APPLICATIONS RECEIVED

First Zone

WBZA—Westinghouse Electric and Manufacturing Co., Boston, Mass.—License to cover construction permit granted 7-11-33 to make changes in equipment.

NEW—Julio M. Conesa, Ponce, Puerto Rico—Construction permit for new station to use **1420 kc.**, 100 watts night, 200 watts local sunset, unlimited time, amended re equipment, change day power to 250 watts to local sunset, change hours to six hours daily.

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Construction permit to move transmitter to Township of Somerset, Mass., and move studio locally, and change equipment.

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Special experimental authorization to use an additional 250 watts daytime on experimental basis for six months.

Second Zone

WEHC—Community Broadcasting Corp.. Charlottesville, Va.—License to cover construction permit granted 2-28-33 and modifications for move of station from Emory, Va. (correction made).

Third Zone

WEED—William Avera Wynne, Greenville, N. C.—License to cover construction permit granted 6-16-33 for new station.

WOAI—Southern Equipment Co., San Antonio, Tex.—Modification of license to change corporate name to Southern Industries, Inc.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Renewal of special experimental authorization to use 1 KW experimentally for six months from 10-1-33

KBTM—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Construction permit to move transmitter and studio to Jonesboro, Ark., also install automatic frequency control.

KBTM—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Authority to install automatic frequency control at new location if construction permit to move is granted.

NEW—J. W. Woodruff and David Parmer, Anniston, Ala.—Construction permit for new station at Anniston, Ala., to use **1420 kc.**, 100 watts, unlimited hours. Requests facilities WAMC, Anniston, Ala.

NEW—J. W. Woodruff and David Parmer, Tuscaloosa, Ala.—Construction permit for new station at Tuscaloosa, Ala., to use **1200 kc.**, 100 watts, daytime. Requests facilities WBHS, Huntsville, Ala.

NEW—J. W. Woodruff and David Parmer, Selma, Ala.—Construction permit for new station at Selma, Ala., to use **1500 kc.**, 100 watts, daytime. Requests facilities WBHS, Huntsville, Ala.

WIS—Station WIS, Inc., Columhia, S. C.—Construction permit for new equipment; change frequency and increase power from **1010 kc.**, 500 watts night, 1 KW to local sunset, to **1050 kc.**, 5 KW, amended re equipment and to change transmitter location—exact location to be determined.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Modification of construction permit granted 11-17-31 and modifications for approval of transmitter location for 25 KW station near Trussville, Ala.

NEW—ARK-LA-TEX Radio Corp., Shreveport, La.—Construction permit for new station, transmitter Keithville, La., to use **850 kc.**, 10 KW, unlimited hours. Requests facilities KWKH, Shreveport, and WWL, New Orleans, La.

Fourth Zone

WFAM—The South Bend Tribune, South Bend, Ind.—Construction permit to make changes in equipment.

Fifth Zone

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Construction permit to change equipment and increase power from 100 to 500 watts. Requests facilities terms of .29 quota units withdrawn from KFWI, San Francisco, Calif.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Construction permit to change equipment, increase power from 500 watts to 500 watts night, 1 KW day to local sunset, facilities KFWI, San Francisco, Calif., amended re equipment.

KRSC—Radio Sales Corp., Seattle, Wash.—Modification of license to change hours from daytime to daytime and to include hours 12 midnight to 4 a. m. daily.

APPLICATIONS RETURNED

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Modification of construction permit granted 11-17-31 for approval of equipment and transmitter location for 25 KW station. (No reply to Commission's letters.)

KVOA—Robert Marion Riculfi, Tucson, Ariz.—Construction permit to move transmitter and studio locally. (Out of order as license assigned now to Arizona Broadcasting Co., Inc.)

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Construction permit to move transmitter locally, make changes in equipment, reduce power from 100 watts to 50 watts. (Insufficient information on proposed transmitter location; error in hours—Rule 77; name of frequency monitor.)

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Construction permit change transmitter locally, exact site to be determined. (Not necessary at this time as authority issued 8-18-33 to test for site with portable.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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PROCEEDINGS

SECOND ANNUAL MEETING

Commercial Section

NATIONAL ASSOCIATION OF BROADCASTERS

June 27, 1933, Grand Rapids Michigan

TUESDAY MORNING SESSION

June 27, 1933

The Second Annual Meeting of the Commercial Section of the National Association of Broadcasters convened in Committee room D of the Civic Auditorium, Grand Rapids, Michigan, at ten o'clock, the Chairman, Mr. H. K. Carpenter, of WPTF, Raleigh, North Carolina, presiding.

CHAIRMAN CARPENTER: We are just two minutes late, let's get started.

I think for the benefit of some of you who do not understand quite fully the purpose of our meeting, I had better say that the Commercial Section is an outgrowth of the old Commercial Committee of the National Association of Broadcasters. Our Association, belongs to the Advertising Federation of America and because our connection with it is the result of our commercial activities, the Commercial Section meetings are held in connection with the annual conventions of the Advertising Federation of America.

I should say also that the action taken by this Section can only be in the form of recommendations or resolutions to the Board of Directors or to the Association as a whole at their convention in the fall. No action can be taken here which is binding upon the members of the Association. If you feel any definite action is necessary, let us have it in the form of recommendations or resolutions which we can pass on to the Board of Directors or to the Association.

We have told the men who are to speak that they are to present possibly a formal paper up to a certain point, but the main object of this meeting is to discuss all the things you want to discuss. We have outlined as far as we knew the things that you would like to discuss, but if there are some things that are not on that outline, please feel free to bring up the matter at the proper time.

I would like to warn the speakers that it is perfectly all right with me if they are asked embarrassing questions. You go ahead and ask as many questions as you want, embarrassing or otherwise.

With those preliminary remarks, I would like to get right down into the work without wasting any time. Our first subject is "Station Promotion—The Key to Successful Operation in Broadcasting," discussion led by John Patt, of WGAR, Cleveland, Ohio. (Applause)

* * * Mr. Patt presented his prepared paper (Paper No. 1), with the following interpolation, page 6:

At this point, I want to call attention to one of the pieces of station promotion that I have seen during the past year, a series of talks given by my colleague, Leo Fitzpatrick, over WJR, during the past season on Sunday nights. Mr. Fitzpatrick in that series of talks, in a layman's language, takes up all of the various phases of the broadcasting industry and discusses them with the public and invites their questions each week. For any broadcaster or any advertising agency men or advertisers who would like a copy, we will be very glad to have one sent. (Applause)

"STATION PROMOTION—THE KEY TO SUCCESSFUL OPERATION IN BROADCASTING"

By JOHN PATT

Last Fall the committee on station promotion of the N.A.B., of which I had been made chairman, sponsored a most comprehensive report dealing with the many elements of promotion in relation to the broadcasting industry. In that report we came to the conclusion that the broadcaster who does not contribute to the growth and development of his station will meet with eventual extinction and that, conversely, it is true that promotional efforts have brought progressive stations financial success, better assignments of power and frequency, increasing listener attention and higher standards of public service.

There is perhaps little that I can add to the report submitted at that time and, which was later reprinted in several trade journals. Nevertheless, the job of promotion is not one which stops at any particular point, but like evolution itself is constantly changing and developing.

Promotion literally means to move forward. It is in the degree or rapidity with which we move forward, and in the methods by which we advance the popularity and prestige of our stations, that we achieve an ascending level of individual station prominence. Then, too, as we elevate our own companies in listener attention and advertiser recognition, we contribute immeasurably to the power and general recognition of broadcasting as an industry, a profession and an art. The National Association of Broadcasters can assume an extremely important part in the elevation of the broadcasting industry as a whole, through an interchange of ideas employed successfully by individual stations and which may be profitably utilized in other sections of the country by other individual broadcasters.

Last Fall our report dealt mostly with the major divisions of station promotion, including display advertising, publicity activities and broadcast forms of promotion. Under display advertising we estimated that between two and three millions of dollars were invested annually in advertising by radio stations in direct mail, trade papers, newspapers, magazines, billboards, car cards and novelties. The greatest expenditure was found to be direct mail, since a survey showed that there was scarcely a commercial broadcaster who did not send out mailings to selected lists of local and national accounts and their agencies. Nevertheless, an ever-increasing amount of money was being devoted to advertising in our own trade papers, daily newspapers, national magazines, billboards and street car cards. Examples of activity in all of these lines throughout the country were included in that report. It is hardly necessary to note that such promotion has not only continued, but increased during the past few months. With most of these media we have had considerable experience and some success in promoting the interests of our own stations, WGAR in Cleveland and WJR in Detroit, and we hope that our promotional efforts have reflected credit on the broadcasting business as a whole. We know that WGAR, less than three years old, which is known to its listeners as the "Friendly Station," has made rapid strides in number of listeners, in audience attention and interest, in advertiser acceptance and in volume of business, largely through the partial, if not complete success of our promotional activities. Naturally our merchandising and sales promotion departments which are combined into one under the direction of a former advertising agency official have played a great part in the general promotion of the station.

We do not undertake a listener survey, a dealer canvass, a campaign of bulletin boards, billboards, counter displays or window displays without making sure that such promotional material prominently displays the call letters of the station, together with any other pertinent data on station personalities, location, wavelength, etc. I shall not attempt to go into further detail about these forms of paid advertising, which any station can use if an appropriation is available, except to say in passing that our experience with direct mail and trade paper advertising has brought us recognition and inquiries from the people we were seeking to reach. In newspapers and magazines we have done very little spending because we have felt that these are generally useful only where the newspapers or magazines take an equal amount of paid space on the station for their own promotional efforts. Many stations have such working arrangements or affiliations with newspapers in their cities. Wherever this situation exists there cannot help but be beneficial results and little expenditure on either part in obtaining additional listeners for the station and additional circulation for the newspaper.

More than a year ago we made extensive use of billboards in Cleveland and they did a tremendous job in making the public of Cleveland immediately conscious of the existence of a new station.

We are now undertaking a campaign using a full run of the street cars, busses and other public transportation conveyances in Cleveland tying in with our most prominent spot advertisers.

Entirely aside from paid advertising and publicity originating from the radio stations is a field of activity in radio station promotion which is being better developed almost monthly. This is in the use of the broadcasting vehicle itself in building up a larger audience and greater interest in local and national programs. These we have briefly catalogued into classifications such as "dial setter" programs, current program reviews, taking the listeners behind the scenes, contests and give-aways, broadcasts of public events, etc. Nearly every radio station has done something spectacular along this line, and radio shows, which because of the depression were not so common this year, have also served to bring the public in closer touch with the studio activities through the personal appearance of artists in crystal studios and on stages at such exhibits. The two networks and principal stations of Chicago obtained fine publicity at the two National Conventions last year by placing big banners over their microphones on the speakers' platforms and on their broadcasting booths which stood out in bold relief against the mass of humanity gathered to select candidates and platforms.

The stations of Cleveland have been most progressive in this particular field and I have had our station participate in a great many conventions, expositions, and sales meetings with attractive booths and entertainment features which would send the visitor away brimful of consciousness of our station in particular and the broadcasting industry in general. Sometimes, such as in sales meetings and industrial exhibits our activity is only incidental with the main attraction. In others, such as in the Rotary Club's Fair and Frolic this Spring and in the RKO Theatres Industrial and Business Exposition, our participation has been of a central or dominating character, one which we co-sponsored and cooperated with in a very great degree. We continue to hear about this type of thing months and even years after the event is concluded. It also serves to emphasize the fact that beyond everything else a radio station is a local enterprise serving local civic interests. Each new venture along this line is being closely watched by every enterprising station executive and employee with a view of copying or exceeding the other fellow.

We have tried, and in most cases successfully, so many types of individual promotions during certain weeks or on single evenings when we wanted a particularly large audience or when we wanted to put across a certain proposal, that time will not permit me to go into any great detail. I want to single out of the past six months promotions, two semi-commercial activities of the WGAR Broadcasting Company which have been especially worthwhile.

One has been a chartered cruise to the Century of Progress which will leave Cleveland on the great ship Sceandbee on Sunday, July 2nd, with a complete boat load of 550 persons anxious for the greatest experience of their lives—a trip on the inland waters to the Fair. This cruise, will be an inexpensive way for our listeners to see the event of the century. During the two days enroute to the Fair and during the two days and nights returning, they will be entertained royally by a galaxy of the most popular musicians and entertainers of Cleveland and one or two nationally-known network attractions. Our own station dance orchestra will provide dance music and a large number of our staff will be on hand to see that every man, woman and child has a good time. This cruise which we devised during the recent black period of the banking holiday has proven extremely successful and will pay rich dividends in happiness in the lives of our listeners, and I need not add, will prove profitable to the station in the good-will it brings as well as the profits from the trip itself which are already assured.

Shortly after the banking situation became acute we took advantage of the talk about various kinds of money, including script, and issued from the station a new form of currency which we termed "WGAR Magic Money." These certificates are featured on a program broadcast each day at 12:00 o'clock noon and can be used by any listener to bid on various worthwhile articles of merchandise actually auctioned off on the program. These certificates can be obtained from any one of approximately forty outlying Cleveland merchants stores to whom we have issued them in return for a contract for participation in the program and a prize to be auctioned off each week. This program has been at one and the same time an advertising and circulation stimulant. Our listener audience at that particular hour is greater than at any other time of the day because of the fact that these forty merchants have, in connection with their sales, issued more than one million dollars in magic money in the three months that this has been a feature of the station.

Some of our most outstanding sales success stories come from the results obtained from this one program by various merchants participating. An electrical refrigerator store on one side of the street sells a refrigerator costing $25 more than practically identical merchandise in a stores across the street because in the former instance the buyers are given $225 in WGAR money.

A sale of dresses by a Euclid Avenue retailer resulted in 400 sales in one day and 450 the following week from his participation in this program. A furrier got more than a thousand dollars worth of storage business in two weeks time. Over 10,000 boys entered one store in four days to obtain a free gift with a 25c purchase. I could go on and cite at least 35 or 40 other such experiences but these will serve to be typical.

It is, of course, difficult to trace direct results in increased business toward all of these forms of promotion, whether they are paid advertising or publicity. No one can study this field without grasping its magnitude—the millions of dollars and the hours of effort devoted toward the two chief objectives of station promotion which are increasing the size of the audience and increasing the amount of business—without feeling that all of this has served not only to build the radio broadcasting industry into a gigantic enterprise, but has served to put dozens of broadcast stations on a sound and profitable basis.

INTERPOLATION

In conclusion I wish to state that broadcasters must constantly be alert to the possibilities of promotion. I feel that in many cases not enough emphasis is given to the work of station promotion. There are still some stations who are riding the crest of the wave so to speak, but they must surely guard against the undertow of such business depressions as that from which we are just emerging. We must employ these ideas to their best advantage with our utmost ability. We must make sure first of all that the ideas are fresh, new and unique, that they are workable and practicable, and that they do not take away from the ultimate dignity and character of radio as an art and as a profession. I like to look upon broadcasting as the finest public service which the arts and sciences, education, religion and industry of our present-day civilization have brought to the people of our country and the whole world.

MR. HARLOW. There are three questions I want to ask, and I think you can answer them all. Do you make a charge for this street car card?

MR. PATT: No. You mean to the advertiser?

MR. HARLOW: Yes. How do you determine to which client you will give this service to, and have you had any unfortunate reactions from clients who felt that they deserved the service and you didn't feel they were entitled to it?

MR. PATT: In this particular case, the work is not far enough under way to judge just what that reaction is going to be. However, we have enough street car cards so that every advertiser with a program may be represented in the car cards equally. In other words, we have 1500 cards going in every month.

MR. HARLOW: Don't you believe that this is going to be such an integral part of your service that you will never be able to discard it at any future period?

MR. PATT: I do.

MR. HARLOW: In other words, you have to assume the future of WGAR in selling time must include street car ads or some equivalent form of merchandising?

MR. PATT: Primarily any activity of this kind that we undertake is station promotion and not advertiser promotion. When he buys time from the station, all he buys is the time on the air. Anything of this nature is extra and is regarded by us as something which builds the station more than it does the program. In advertising a station, we are indirectly advertising every program on the station.

MR. HARLOW: Then you don't fear that should your competitor in your locality start something of a similar nature, perhaps a little more drastic, carrying out your principles of merchandising, you must at least offer as much as your competitor is offering? What is the ultimate of such a condition?

MR. PATT: I think that we haven't advanced far enough in this sort of thing to tell whether or not we can carry the thing too far; perhaps we can. But I like to look upon these as in the category of full page advertisements and smaller advertisements which we see almost daily in the newspapers. We see published letters which are sent in by their advertisers, telling them what marvelous results they got. In most cases that is not only advertising the newspaper's effectiveness but the advertiser as well. The advertiser in a good many cases would rather have that particular letter of his published than full page ads, even where you pay card rates.

MR. HARLOW: Am I correct in assuming you would recommend the thought rather than the means of this present condition?

MR. PATT: I would like to say this: I believe that the best kind of promotion that we can do is to use our own facilities to talk about ourselves, and I think Mr. Fitzpatrick, whose book I have just talked about, did that more effectively than anything else I have run across at the present time. I know that a number of stations started similar programs a few weeks after Mr. Fitzpatrick started his, and got marvelous reception.

CHAIRMAN CARPENTER: May I ask you this: Do you use the facilities of car cards as a sales argument?

MR. PATT: Not to any great extent.

CHAIRMAN CARPENTER: In other words, it is more station promotion than merchandising?

MR. PATT: That is right. Merchandising is something entirely separate, although merchandising is a part of station promotion, because in promoting anything we must combine all of the best arts of salesmanship.

CHAIRMAN CARPENTER: Are there any other questions?

MR. FOX: One thought occurs to me, in both promotion and merchandising, and that is that we must never run into the situation in which the newspapers found themselves, where we have competition of stations who in trying to outdo the competitor are going to spend more money than they have business to spend. With us, while we do a certain amount of what we call merchandising, we put the company on a very definite basis and arrange to do so much for so much business. In that way we feel we can control it. We don't make a charge for it.

MR. PATT: So far as merchandising is concerned, that comes under a different topic for discussion today; but so far as your station promotion on a competitive basis is concerned, I think that is something we ought to leave to the President and his Industrial Recovery Act.

MR. FOX: The car card is a magnificent piece of advertising for the client as well as being good salesmanship.

MR. PATT: I wanted to bring out the fact merchandising is a type of sales promotion or station promotion.

CHAIRMAN CARPENTER: Are there any other questions? If not, we will pass on to the next topic. Thank you very much, John.

The next topic is very closely connected with station promotion, in fact, as you can see, they overlap in many instances. "Merchandising," to be discussed by Harry Howlett, WHK, Cleveland. (Applause)

MERCHANDISING

By HARRY HOWLETT

It is with some degree of trepidation that I approach this much-agitated subject of merchandising. For that reason, I want to deal more with principles than methods—the principles involved in this proposition.

As a premise, then, I think it is safe to state that almost every individual member of the industry is in some form or another engaged in merchandising at the present time. In the station with complete crews that do a comprehensive job of reporting and selling, down to the station that very reluctantly consents to send out a file letter, I think, we have the extreme ends of the poles. I think the difference in the cooperation they give the advertiser is found in the differing viewpoints toward what is legitimate merchandising or supporting of a radio program.

While that condition exists, we as an industry find ourselves more or less the prey of those who have been gathered together to do business for longer years than we have, the advertising agency.

This term "merchandising" is somewhat new to us as an industry. We didn't hear much of it prior to 1929. We have heard quite a lot about it since. The function came into being, I think, for two primary reasons; first, the desire of the advertiser to make his advertising dollar work to its maximum capacity; secondly, the desire of the radio station operator to make his programs ultimately successful. He saw a steadily growing casualty list of his programs and he reasoned that many of these casualties were caused because the radio effort was not correctly supported by the advertiser. He conceived then that some support on his part to continue the valuable contract on his station was a legitimate effort. I presume that was his conception; I hope it was, in lowering the bars to merchandising.

I do not think the advertiser thought that merchandising was a legitimate function of radio, but I do certainly think that he thought if he found he could get such service, he would definitely go after it.

Following the years 1929 and 1930, the advertiser remembered the days when he had dealt with the newspapers before they were strong enough to standardize their practices and stiffen their rate schedules, when he had managed to inveigle them into the field of merchandising and seemed able to get almost anything he desired from them. Now he found here in this young industry plunged into an economic depression, an opportunity to bring out from the cupboard the old devices, schemes, and pleas, and make them work all over again. He certainly tried to do that.

Let me at this point review briefly the background upon which we have this merchandising proposition presented. Radio, not many years ago, came out of the laboratory—the result of engineers and scientists. It was given to the public first by people who hoped by some other means to receive remuneration for the gift of radio to the public. So rapid was the development of this industry that it was quickly found the strain on the purse strings was too great, and some form of revenue must be obtained. It was here that the commercial side of radio entered the picture. It was readily seen that radio was a natural carrier of advertising, presenting forms and types that had not been used before and could not be used in printed mediums. The development of radio was so rapid that almost over night it sprang from the puny child into a full grown man.

On the commercial side, radio desperately fought to meet the mounting costs that were produced by the evolution of the engineering side. All of you gentlemen can turn your minds back not many years and remember the days when we used to lay aside, with silent prayers, valuable pieces of equipment that were not even finger-marked, that however had become obsolete because of a new development from our laboratories.

We on the commercial side, seeking to obtain revenue, found ourselves confronted with buyers of advertising who were schooled and learned in the arts of printed medium, who found that the tools of the new art differed greatly from that in which they were trained, and who found a mental resistance to taking hold of these new tools and using them. We found there a mental inertia which increased our effort to somehow balance, if possible, this ever-mounting overhead due to the rapid development of radio with the income that came at that time rather slowly. We dreamed dreams of the day when we might more closely reconcile these two factors. We thought it might be possible at sometime, even to pay a little dividend on the investment, until the halcyon days of 1927-29, when our dreams seemed to be realized.

Under the better business conditions and under the work that had been done by the commercial side of radio, we had brought into this medium some of the best advertisers, some of whom were achieving staggering successes. Some of us also were achieving staggering flops. We ourselves at that time did not understand to the fullest degree the technic of the presentation of commercial advertising. We were learning; so was the other fellow. However, the successes far outnumbered the failures.

But the period of prosperity did not last long enough in our industry for us to build reserves against the days of depression which overtook us in 1929. Then the stabilizing of rate structures, the standardizing of practices that had been accomplished under this temporary success of ours was thrown into more or less of a chaotic condition.

It is here, then, we hear the first mention of merchandising—something in addition to the ordinary, normal function of the radio station. With radio appropriations cut down and in some cases entirely withdrawn, every carrier of advertising had to fight and scramble for his share of the advertising dollar. The radio man that found himself in this condition. Those who had been introduced into the field of radio, those who had high courage and had plunged into what they thought was an unchartered sea—and I say that advisedly because that was and still is the attitude of many of our advertising agencies, again were disposed to withdraw from this medium that required so much of their time and energy, and to go back to the old line mediums with which they were thoroughly schooled and felt perfectly at home. We had that proposition to combat after 1929.

It was here, then, that merchandising came in. We as an industry, striving and seeking, fighting to make our medium the most productive, were inclined for its sake and our own to accept the advertisers' propositions of merchandising. We went into the matter with both feet, up to our knees, and I fear some of us are going over our heads and not knowing it.

The question, therefore, seems to be not shall we or shall we not engage in merchandising activities, but rather what can we predicate as a properly balanced effort and where shall we draw the line? I can't definitely answer that question as to where we shall draw the line and what is a proper amount of merchandising to do. I think each member station must decide that for themselves. But I do point out, gentlemen, a few factors, the first of which occurring to me, being that our present structure was set up about the year of our peak. Our rate structures in general were set up in 1928 to 1930 and very definitely these structures did not include extensive and expansive merchandising programs. It is very certain, therefore, that any extra effort put forth behind the normal function of broadcasting is one that we are paying for out of our own pockets and for which we are not receiving commensurate remuneration at the present time.

I imagine someone says, "Well, I don't know about that. I seem to be able to do a whole lot of work in my station without it costing me anything at all."

No. Suppose you can do merchandising with the salesmen you now have on your staff, presuming you can send out your letters by the stenographers that are at present on your staff, in direct ratio to the time you take from your salesmen in productive selling and effort and turn it to merchandising, in just that ratio you are withdrawing from your potential income that which you need for the proper development of your station. In the final analysis if some go to the length they seem disposed to go in this proposition of merchandising, you will have withdrawn from the station's activities in the promotion and presentation of its program sufficient to have reduced the level of quality of presentation to a point where it is no longer of value to the sponsor of your station.

So you have the vicious circle. He gets the merchandising truly, but he lacks the quality of presentation that will make his program a success.

Another factor is that the requests for merchandising support are becoming more frequent and more expansive. Let me give you an illustration of an inquiry I have received within the past two weeks, an inquiry incidentally with an order for the business: "We desire that you will write to the grocery stores and drug stores in your primary coverage area," of which there are between 5,000 and 7,000, "that you will make personal calls on the heads of the drug and grocery chains; that you will place window display stickers in the stores; that you will compile a monthly report of the movement of the merchandise in your territory."

This was asked for with an order for one fifteen-minute program a week. (Laughter)

That makes you laugh. I wonder how many of you receiving that communication side by side with the signed order would laugh. I fear that some would almost say, "Yes, we will accept it." I think some have accepted such propositions, thus not only encouraging this particular individual to use this against other stations to promote even more, but encouraging five other people who have been watching his effort to try to do the same thing.

That is why I state a definite line must be drawn if we are in this thing, and we are. I think each one of us should very carefully sit down and study what he as a station operator can legitimately and properly offer to a user of his facilities in the way of supporting activities. I do not think it is necessary for us to overstep the borderline of common sense nor do I think the potential buyer expects that you will. I am quite certain the advertising agency that asks for these supports is not at all disconcerted when you tell them about one-tenth of what they have asked for will be given; they expect that. The viewpoint of the advertising agent will not warrant promoting additional activities on the part of the station which only result in raising the rate structure, which it amounts to.

The viewpoint of the advertising agency in his effort to promote for his client all and any supports he can obtain for the legitimate radio function is very well exemplified in a conversation I had just recently with an executive of one of the largest agencies in the world. He was reproaching me for the fact that radio at the present time had not sufficiently stiffened its back, stabilized itself, and did not sufficiently hold to its rate structures. I said, "You find that to be true?"

He said, "Absolutely."

I said, "Then I agree that perhaps it is true, and I think you and others of your type are distinctly responsible for that condition, for you lose no opportunity of dangling before the eyes of the radio operator the piece of business that he desires, and seeking under that to get everything in the world you possibly can outside of the radio function.'

His reply was this, "When we ask you to do those things, we feel we must ask you because some of them are done by some of your stations, and in duty to our clients we must seek to have you perform those functions. If, however, you find you cannot, it doesn't make much difference to us. We want your facilities anyway and we will use them, and, as a matter of fact, we would much prefer that you keep a stiff upper lip and tell us exactly what you will do and what you will not do."

So we will be subjected, unquestionably, by the buyers of advertising space to these questionnaires, these urgings, these pleas, this cajoling to do more than is actually a matter of common sense in support of the radio effort.

Knowing I was going to talk here today and feeling that perhaps I viewed this subject somewhat differently from the way some of you seem to view it, I made it my business to questionnaire many of the country's leading newspapers as to just how they handle this matter of merchandising. I have here a questionnaire that is used by one of the country's leading papers. That is the basis for the operation of three of the newspapers in that city. I would like, with your permission, to read this to you. It is headed, "Merchandising Cooperation."

"Will you send out letters to the wholesale and retail trade in your city? Yes.

"Is there a charge for this service? Yes.

"If so, how much or on what basis? This work is done at actual cost.

"Do you prefer to have us prepare such letter for you? Yes.

"Do you make personal calls on the trade telling them about a campaign? We do make personal calls on a reasonable number of outlets.

"Do you place window stickers? No.

"Do you place counter cards or store displays? No.

"If not, will you take orders for window displays and deliver them to retailers? No.

"After they have been distributed will you make a survey to check up on the number of stores using them? Yes.

"Do you have a display window?" (Or we might interpret that a reception room display.) "No.

"Will you place radio counter cards for our clients who are on the air? No." (This is a newspaper questionnaire.)

"Do you publish a trade paper? No.

"Are there any other forms of cooperation not mentioned above which you are in the habit of rendering? If so, will you please indicate them below? We supply routed lists of dealers, effectively and economically routed, for use by the manufacturer's salesmen. We will supply portfolios for the manufacturer's salesmen to show dealers."

(That is portfolios of press proofs of advertising and so forth. We can do the same thing with a very well written presentation of the radio program, of its presumed and hoped for effects.)

"We have also made a most comprehensive analysis of conditions as they actually exist in this market, and the information we have compiled is available to you at all times. Salesmen, sales managers and advertising managers, alike, will find this information of interest to them, as it tells in its entirety the selling potentialities of this market. There are a number of ways in which this paper can assist a manufacturer that may not be considered as major cooperation, yet nevertheless, producing the desired results. At any time that we can be of service to you, please let us know of your requirements and we will gladly render all the assistance we properly can to help your efforts in this territory to success." Which will mean another do-we-do-so-and-so? No or yes, as the case may be.

Personally, I think that very well covers the list. In personal conversation with the promotional manager of one of these newspapers, he tells me that this matter of the surveys and researches they go into is not only of value to their prospective clients for whom they are making them, but it is of ultimate value to the newspaper itself in fostering more business from directions that at that time are not placing the business in their territory. We can very well do such work as that; that, I believe, belongs in our corner just as much as it belongs in the newspaper corner.

I think this balance between the things they can properly do and the things that are improper to expect is very nicely drawn here and might be a guide if anyone desires to have this copy as a basis at least upon which to consider this subject of merchandising that most certainly should receive ultimate consideration of every man in the industry at this present time.

Now, your questions.

MR. JOHN HENRY: Is there any city or state who has an association in which there is an agreement upon merchandising practices? Is there any such city association or agreement among competitors in that city?

MR. HOWLETT: An agreement?

MR. JOHN HENRY: Between competitors in a city, for instance, in Cleveland between broadcasters that they will or will not do certain merchandising.

MR. HOWLETT: I know of no such city where such an agreement is in effect. This does not mean there is no such city. Does anyone here know of any city where there is such an agreement in effect?

MR. JOHN HENRY: I inquire because tentative plans are under way for something like the Nebraska Broadcasters' Association. It has been suggested, and I presume that is one of the things we will discuss, and if we do discuss it, we would like to know what is being done elsewhere.

MR. HOWLETT: I would think, in answer to that, the matter of merchandising support will in the final analysis be left to the individual station. Geographical location will decide some factors involved, and the radio station's affiliations will decide other factors. I think each one will have to find their own role for themselves, using such mediums as this particular meeting for exchange of opinion as a guide both to just what we might correctly and properly do.

CHAIRMAN CARPENTER: May I ask you on that questionnaire there if there is a definite line of differentiation between what they do and what they don't do? Is there any particular basis for the question or the yes or the no? Is there any particular class of things they will do and any particular class of things they will not do?

MR. HOWLETT: Apparently not. The classification of the merchandising entitled advertising, whether it is display or not, does not seem to be on this particular questionnaire. I am sure this questionnaire is the one that is used generally and always. I am also certain in my own mind that these "yesses" and "noes" have behind them many years of bitter experience, careful consideration, before this form was made out as a guide for leading newspapers.

"Commercial Scripts," by John Henry, of KOIL, Council Bluffs, Iowa.

* * * Mr. Henry presented his prepared paper. (Applause)

COMMERCIAL SCRIPTS

By JOHN HENRY

If I were to search for ideas for the operation of a radio station, I'd not go to a library, or to the files of a newspaper. Instead, I'd set about trying to learn why station So-and-So down south or some other direction was able to make money this year. I'd write me some letters to the managers of other stations that rumor or *Broadcasting Magazine* said were able to keep the wolf out of the kilocycles the past year.

And the tenor of my queries would be: "How the heck did you do it?" I'd send my letters to all the successful managers. And they, being successful managers, would reply, giving an outline of what they did. * * * And, everyone of them would write, "We worked out some program ideas that were saleable and then went out and sold them." Then, what would I do? * * * If those managers hadn't already sent it to me, I'd ask for a description of those programs, with the idea of adapting them to my radio station. And, one big emphasis in my letter would be: "How about furnishing me a script of the program?'

New programs! New ideas! If the programs of yesterday won't sell, work out some others. Sure, I know there's a depression. That's why every business man is waiting at the front door for the radio salesman who will bring him an idea for increasing his sales.

The station of which I am manager, KOIL, of Omaha, Nebr., and Council Bluffs, Iowa, netted more money in March and April than ever in its history, and next month, July, the middle summer month of the great depression year, our local advertising business will run 50 percent more than any other July, and more than any other month in our eight years of history. Our increase has been almost entirely on new programs and new ideas, adapted to the depression, if you please, and dedicated to the proposition that getting new business is not free and easy.

I do not know how many other radio stations have been making money, but I daresay there are quite a number. Wherever they are, I'll wager they are using different programs than in the past. Probably, they have better salesmen—all of us have had to have them. But, the salesmen have to have something to sell. They couldn't sell what we were trying to sell last year. That means new programs, new ideas this year.

Those new programs and new ideas—ninety percent of them at least, would be adaptable to other stations, *were there some means of getting information about the tested and successful programs to the other stations.* Aye, there's the rub, for to get the story about the successful program to a maximum number of stations.

On our station, we have sold a department store a half hour a day, to be broadcast from its own studio. That's not new, but our idea of presenting our sustainings from the studio, to attract persons into the studio auditorium, arranged as a huge rest room, and thus into the store, is new. And our idea of hooking displays of goods advertised into the auditorium, with national advertisers footing the bill, has not been used on many stations. But, I dare say, it could be adapted by half a hundred managers.

Few grocers can afford extensive radio advertising. But, we worked out a natural, tieing in a half dozen grocers each day. It's a script show, and could be passed along. The same thing is true of our "Beauty Club" script, sponsored by beauticians, ladies ready-to-wear, foot stores, and all the establishments that go to make milady even more beautiful.

Most stations are either rural or metropolitan, definitely one or the other. A local farm and home hour can be built around the chain farm-and-home periods, and gain a rural audience for a metropolitan station which will net a good many otherwise-unobtainable shekels. Such a program on our station gets both local and national accounts. We have a World-Fair amusement park—remote control—tickets for patronage idea that is earning money during the summer. * * * It's hard to get anything for banks. * * * Our five-minute script act not only has satisfied a local bank, but a number of other stations, noting a story in one of the magazines, asked for it. It did the work for them, I presume. * * * We couldn't get a big clothing store until we worked out a string and chimes music set-up, with the family "listening" to the music, and talking clothing to each other. The program sold itself on audition. Script on that could be adapted to any clothing store account. * * * And so on and so on and so on. * * * The other afternoon I counted twenty-three new kinds of programs on KOIL, put there since the first of the year. But, what I want to emphasize is this: Everyone of these programs, or ideas, which have kept us in the black ink, could be adapted to use by other stations. Had we but some reasonable way spreading the gospel.

I suggest a four-fold program exchange activity for NAB. Part of it can be put into operation at this time, perhaps. Other parts of it logically should wait.

First: The gathering of information from the stations about their successful commercial idea programs; the summarizing of this information, and its publication, probably in NAB Weekly Reports, with a note where script or complete information on the idea or program is available.

This activity, it seems to me, might well be put into operation soon, and probably could be handled by the present staff of our managing director. Other parts of my suggestions likely would have to be postponed until a full-time man were devoted to the program exchange.

Second: A script exchange which would be, in effect, a syndicate, furnishing script to members of the NAB. Cost to members would be less than that now paid to such syndicates as there are, because NAB could charge only actual cost. NAB, with its large membership, should attract the best writers, so members would have writing for their stations at a low price, the best authors in the business.

Third: A reservoir for outline of ideas. Even if our copyright law for script is changed, it would be hard under the circumstances to establish property rights in an idea. However, if a summary of that idea were written, sealed, sent to NAB headquarters, there not opened marked with sworn-to note of the date, and placed in a vault, that summary should prove very valuable to any author trying to protest a theft of his brain-child. This reservoir, in itself, should attract the best writers to the service of NAB, and NAB members.

Fourth: Research activity. Anything that would gain and furnish to station managers data on program handling that would make or save them dollars and cents. What rate for talent? What kind of theater hook-up? New time for kids' programs? What use of coupons? Existing arrangements for artists bureaus? What are some naturals for Saturday advertising? What unusual music set-ups, keeping in mind that an orchestra is just an orchestra, but a different set-up is distinctive? Activities here are almost limitless.

As I say, the first of these might well be put into operation soon. The others should await the development of the first. But, to me, as I've seen what new programs can do during this so-called depression, the exchange of program ideas and script promises more gold than nearly anything else we could do right now.

CHAIRMAN CARPENTER: Are there any questions?

MR. HARLOW: Mr. Chairman, the only difficulty about the suggestion is that it won't work. We are, after all, in the theatrical business or semi-theatrical business with probably a smattering of literary genius here and there. It is no more possible to exchange the brain child of an enthusiastic and hard working and conscientious executive or an under executive who through his efforts has produced a production which has seemed to go over and bring results, proper results—I say it is no more possible to exchange that script with another station than it is for a successful producer of a theatrical production to be willing, after he gets through with his scripts, to suggest that some other theatrical producer might like to follow along similar lines. It just cant be done.

The rest of the suggestions, I think, are extremely valuable and any exchange along practical lines or ideas is extremely valuable.

CHAIRMAN CARPENTER: If I may be permitted to inject a word here, I disagree with you, as a result of practical experience. Possibly we are not talking about the same thing, but I am particularly interested in this phase of the work because it doesn't fall within the scope of some of the larger stations, or shall I say stations in larger centers of population? It is a very valuable help to small stations or stations in smaller centers of population.

Our experience over the past three months has been quite the same as his in Council Bluffs, and of the program ideas we have had, I should say fifteen or twenty program ideas that we gathered up from this, that and the other place, we have three of them in use. Those three are going very successfully. We haven't taken the idea as a whole and simply transplanted it. We have worked it over into something that we could use particularly, but it is the same basis idea.

So to a certain extent, I believe there is a possibility of exchange there, provided intelligence is used in adapting the idea to your particular needs. Many times it isn't a script complete; many times it is a program plan and the script can be worked out at the station.

MR. PATT: Offhand, I think most of us might agree that an exchange of ideas with some sort of a wholesale basis where it wouldn't cost us a lot of money, merely the expense of duplicating the scripts and sending them out wholesale and pell-mell throughout the country to all of our fellow broadcasters would be a fine idea. But I see, from what Mr. Harlow has said and from some experience I have had in broadcasting, some disadvantages there.

I favor your first suggestion, Mr. Henry, which is to describe in one corner of the weekly bulletin those programs which broadcasters voluntarily want to describe and offer for sale to other stations.

I don't believe that we should take from our writers or our producers their brain children, as they have been called, and offer them without charge to the rest of the broadcasting industry throughout the country. I think if we can leave it up to the individual station's option or writer's option as to whether they want to offer for sale, at whatever price they want to offer them, scripts or a detailed plan of a particular program through the NAB reports, a particular corner of which could be utilized each week for that very purpose, that is a splendid idea.

I agree with Mr. Harlow that to wholesale these ideas throughout the country and to wholesale continuities means just a lot of detail at the home office and only about one out of fifteen, rather than three out of fifteen, is going to be the usual percentage.

MR. TRAVERS: May I make one suggestion? We have had a great deal of experience with scripts. We have 220 clients a week right now. I think those of you who would like to exchange ideas ought to do it, as you did, personally. I can't conceive of the National Association of Broadcasters putting out a script and having five stations in Boston run up to the same advertiser with a script, which happens. It was tried before. I know of one particular script that was put around, it was done on transcriptions and it was also put out to the National Association and was also put out through personal contact by the station man who wrote it. We called on the client and he had received solicitation on the same script from fifteen different sources. I think that those of you who have ideas to exchange ought to do it personally and not burden the Association with the printing of them or any of the work involved.

MANAGING DIRECTOR LOUCKS: I want to make clear just what is embodied in this thought. There is no intention at the present time to print any continuities or get them out in mimeographed form. As a matter of fact, we don't care if we don't see them in headquarters. There are today in the files of various broadcasting stations literally thousands of scripts, old and new, that have been used and have been successful, and so forth and so on, which might be adapted to present-day conditions.

A script that has been successful in Boston in 1929 might be a swell idea out in Portland, Oregon, today. It is in your file, it is not working. The only service that is proposed at this time is to create the avenue through which those of you who care to exchange scripts may do so. If you don't want to do it, there are certainly going to be no ill feelings as far as headquarters is concerned. But we just want to create here the avenue through which those of you who want to make available old scripts or new scripts or ideas or whatnot can send them to headquarters and we will simply list them and say, "Write to Mr. Harlow in Boston for this," and "Write to Mr. Henry in Council Bluffs for this," and so forth and so on, or do it direct.

MR. HETTINGER: I think, merely summing up, we are laboring under the illusion that one thing is another here: we are talking about two different things. One is an exchange, the other is a clearing house. It seems to me the exchange is everything Mr. Harlow said. It seems to me the clearing house, on the other hand, is a practical proposition. You keep the ownership in the hands of the author. The author has the right to refuse or to accept any one who wants to buy. You have the right to sell your property to whom you want, and merely by providing an avenue through which stations and authors can circularize the industry, you are getting scripts into the hands of people who can use them. In addition to that, you are accomplishing that even more important aspect, of stimulating ideas.

MR. HENRY: The outstanding virtue it has in it, as I see it, is the fact it will tell us broadcasters where the scripts are available. That is the point.

MANAGING DIRECTOR LOUCKS: I might say, while it has no bearing on this particular subject, you may be interested in one practical problem that arises with respect to the rights of the authors in such exchange of scripts. At the present time, of course, he has nothing but his common law copyright. Common law copyright isn't a very practical thing in actual business negotiations. We thought at sometime, and perhaps in the radio program foundation provision has been made there for it, we may set up a system of registration of scripts very similar to that now in use by the Authors' League of America, under which the writer, by merely filing a copy, which would be sealed and stamped as to date, would have evidence to prove the originality of his continuity in case any theft of that continuity should occur afterward.

MR. TRAVERS: Variety is doing that now.

MANAGING DIRECTOR LOUCKS: I am not satisfied with having an outside agency do it. We ought to do it ourselves.

MR. TRAVERS (Interrupting): I would rather have the Association do it. I didn't know whether or not you knew that was functioning.

MANAGING DIRECTOR LOUCKS: I might say in my budget which was approved by the Board, I included an item which would take care of the type of thing I have in mind for the present. Of course, there is not a great deal of cost involved; so really the Board has approved the general scope of the idea.

MR. HOWLETT: Mr. Chairman, before we make any resolution or present anything for vote, I think possibly I may be a little thick-headed, but I would like to have Mr. Loucks tell us what he wants to do. I objected in the beginning of this to something that has totally changed its character now. So I am withdrawing that objection.

Now I am heartily in favor of an exchange of ideas and the general discussion. I have found during the discussion the idea is Mr. Loucks'. I think then he should give us a brief summary of what the idea is so intelligently we can say whether we are in favor of it.

MANAGING DIRECTOR LOUCKS: I don't know whether there is much more to add to the statement I made previously. I tried to outline to you what I had in mind. It is simply providing an avenue through which such information relative to scripts and ideas as we received from time to time can be distributed through the medium of our bulletin. Suppose in the files of WHK, for example, there are numerous continuities, program material of all kinds, that has been successful in the past and you believe it might help some other broadcaster in some other locality and you are willing to make it available, you simply list what you have and what you are willing to do, send it to us and we call it to the attention of other members. If you have a staff plan or if you have a continuity you want to sell to other stations, you list it just the same as you would a free idea and put a price tag on it and if station KOIN in Portland is interested in a series of 13 or 26 or 52 scripts that you have in Boston, they will get in touch with you and you make your own deal. At the present time, he has no way of knowing whether you have anything that is of value to him or not. We are simply trying to pull out of the files and publicize such material as we may have available and perhaps provide a sale for some of the material that is now musty in your old files. You can turn it into cash.

MR. HOWLETT: Conversely, it will be the privilege of the station to write you and see if you have a certain type of script they desire.

MR. HARLOW: Mr. Chairman, would this cover it, that it is the sense of this meeting that the pages of the bulletin, the N. A. B. official organ, be made available for the exchange of scripts if, and when in the judgment of the Managing Director, such is possible, and on such terms as the station or writers submitting the scripts should determine?

MANAGING DIRECTOR LOUCKS: I might say in solicitation for votes for Mr. Harlow's motion that if it proves impractical, it is going to be abandoned pretty quickly.

MR. PATT: May I hear about the copyrights you are issuing?

CHAIRMAN CARPENTER: Just a moment until we dispose of Mr. Harlow's motion.

* * * The motion was seconded by Mr. J. O. Maland, of WHO, put to a vote and carried. * * *

MR. GEDGE: Do I understand, Mr. Chairman, this is a recommendation for the Board to act on?

CHAIRMAN CARPENTER: It is really not necessary for the Board to act on it, because the Board has already authorized it.

MR. GEDGE: As long as the appropriation is made, I don't see why we can't go ahead with it.

MANAGING DIRECTOR LOUCKS: Can we defer the discussion of copyright? That will take four or five hours if we start on it.

MR. PATT: I wanted to know simply whether or not if I have a script and I send it into the bureau of copyright, that script is protected from copying.

MANAGING DIRECTOR LOUCKS: It is not. Let me say, first, that the Copyright Act of 1909 simply manufactures evidence of copyright. When you see "Copyright 1933," it simply means the publisher of that article claims copyright. I can take to the Library of Congress the Holy Bible and write on the front page, "Copyright, Philip G. Loucks, 1933," and the copyright office has to accept it and file it. We have no discretion to refuse or reject.

Only such material such as movable type, as they characterize it, will they accept and register in the Library of Congress. The man who produces an original work, simply pounding it out on the typewriter, has a copyright which is called common law copyright, which the courts have been trying to define for 300 years and haven't yet defined; but it is a right that exists in your creation, if you can prove its originality.

That gave rise to the second thing which we must do eventually and we must manufacture the evidence so that you will be in a position to show the originality of your work and prove you are right in that production. It is always a question of date. You had the idea before somebody else, you want to prove you had the idea before somebody else and you have reduced it to some permanent form. Through a system of registration, we furnish you that proof. We don't want to know what your work is. We will seal it. All we will prove is that on such-and-such a day John Patt filed with us the envelope with the enclosed contents.

There have been attempts to revise the present copyright laws. The movement to revise and bring up to date our copyright laws will continue in the next session of Congress and continue in future sessions of Congress and all of the revisions that have received consideration of late have provided for what they call automatic copyright. That is simply writing into statute what the particular author of the bill conceives to be common law copyright.

The Authors' League of America—and I am not familiar in detail with their system—has a system of registration which operates along the same lines. It became necessary in that organization to give to the writer some protection in his work before he sent it around to various magazines or various motion picture concerns, if it happened to be a movie script, against theft of his idea, and as long as he has registered it, of course, he has that evidence that it is his work and he is in a position to prove his originality. It is simply a question of evidence, as with all copy writers more or less, it is a question of evidence. The Copyright Act of 1909 only makes evidence, that is all.

CHAIRMAN CARPENTER: Are there any other questions on this subject? We have forty-five minutes, possibly enough to complete the next subject, "Station Surveys," discussion led by Martin Campbell, of WFAA, Dallas, Texas.

* * * Mr. Campbell presented his prepared paper. (Applause)

STATION SURVEYS

MARTIN CAMPBELL

The first plank of the advertising platform of the Radio Committee of the 4 A's charts our course for us. Here it is:

> "Develop an independent bureau, supported by stations, advertisers and agencies, to study radio coverage through signal strength measurements, and popularity and listening habits through field surveys."

Radio advertising, because of its newness, has been and is being called upon to give a stricter accountability of its value than have some of the older media. In self defense, and because of lack of definite methods of determining coverage, stations have had to resort to every possible method, tried and untried, to supply the demand for data.

And the comparative novelty of radio as an advertising medium has not yet entirely worn off. Once the belief in it is commonly held, the question will not be whether it pays but will resolve itself into the question as to how effective radio will be in comparison with certain other forms of advertising.

So our job is a two-fold one. First, proving that radio does pay, and second, convincing advertisers that it can do a job for them commensurate with the cost, when compared with other forms of advertising. This can be done only when we have unimpeachable proof of coverage—of listeners and of results.

Radio stations began their attempts to show service area by drawing a circle, varying in diameter from 100 to several thousand miles, around the station and calling that coverage. They have wound up with that circle tied in knots—not accurate, not reliable, and not believed.

By a slow process of evolution we have advanced until today we can obtain a pretty fair idea of what a station is worth. Engineers, using established principles, have been able to measure the intensity of a station's signals with reasonable precision. This sets up clearly the potential coverage of a station. Station popularity, which, in the final analysis, is only a reflection of program popularity, is less easily determined; likewise, it is more ephemeral, because of the constant changes in program structure.

But field intensity measurements and popularity and listening habits are not the only elements to be considered in determining the relative value of a station. These are the principle factors, it is true, but among the others are; frequency or wave length, mechanical and technical excellence, hours of operation, program policy and listener interest.

The frequency or wave length, along with the rated power, are fixed by the Radio Commission. Yet, it is a known engineering fact that some frequencies are better than others, even in the same locality.

The mechanical and technical excellence of a station too often is overlooked by advertisers. Why go to the expense and trouble of producing a quality program by transcription or network, and then have it sound as if it had been transmitted through a peanut roaster?

Hours of operation also should be considered when attempting to evaluate two or more stations in a given area. The radio commission recently suspended its rule requiring a station to operate at least two-thirds of its allotted time. If a station cannot do so, for financial or other reasons, then it can't. But if it can, then it is my belief that it should stay on the air continuously. Listeners are human beings and therefore creatures of habit. Also, they are lazy. They will not try to remember schedules and if they tune in to a frequency a time or two and hear nothing, then they will form the habit of tuning to a station that is on the air continuously. And that is the station that will have the listeners.

As a general proposition, I believe, it is accepted that listeners will tune to the station that they can hear best—the one that consistently reaches them with the greatest signal strength. They like the loudest station, the one that they can tune in with the least difficulty and listen to with a minimum of noise, day or night.

They are, however, more interested in programs. They do not care whether a station has 500 or 500,000 watts—I doubt if one percent even knows the power of their favorite stations. Listeners attention is obtained and held primarily by interesting programs. Whether the shows are "corny" or classic, they must be presented in an attractive manner.

But, to get acceptable methods of determining station value has taken time. Beginning, as I have said, with the circles, stations progressively improved. Many of the attempts, on looking back, now appear foolish—but out of it all, has come something tangible. There will be more improvements as time goes on.

A lot of ingenious conclusions have been drawn. Fan mail has been the source of many of these conclusions. With due respect to my friends who use mail surveys to indicate coverage, I think they are wasting a lot of time. Now, fan mail has its place in radio. A careful check, over a period of months, and then a percentage struck with reference to the number of radio receiving sets in an area—by counties if you please—certainly is better evidence of coverage than the pretty little circles. But as a rule, when a mail survey is made, it is taken over a period of a few days or a week. The plug for mail is made before or after a program of obvious popularity, when there is reason to believe the audience is greatest for that period, whether it be morning, afternoon or evening, or a combination of the three. All that such so-called surveys prove is that the listeners were tuned in at that particular time. They are not conclusive enough to be convincing, and any survey based on such a test is, I believe, valueless for any practical purposes. A survey of this type, made over a period of months or a year would be much more valuable.

An interesting test of *program* popularity was the one made recently in certain New England cities by means of a telephone survey. A number of competent operators made telephone calls continuously throughout the day and evening. By comparing the replies with the programs that were on the several stations at the time the calls were made, an effort was made to prove the relative popularity of the stations. Station popularity in this case was only a direct reflection of program popularity. Such a survey, while interesting, is ephemeral because the program structure of a station is constantly changing. New programs come on and grow in popularity. Old programs that have had large followings, lose out to some degree or are withdrawn from the air. Incidentally, the New England survey proved one thing—that listeners are not wedded to any single station but shop around for programs they like.

Mail questionnaires—they were great stuff. That is, they were until advertisers began asking not *what* results were obtained, but *how* were they obtained. Some astonishing conclusions have been drawn from some of these surveys.

Interviews, whether in person or by telephone, although rather expensive to obtain, are enlightening. I believe there is objection to this type of survey because of the human element. Properly conducted, however, it seems to me that the chances are equal; that a person is as likely to err in one direction as in another. Improperly conducted, almost any predetermined answer can be had.

Carried on consistently over a period of time, the interview method strikes me as the best yet developed for determining program popularity.

But the single survey that has kicked up the most interest is the field intensity measurements made by competent engineers. The field intensity survey is, in my opinion, the only accurate yardstick for measuring the *potential* coverage of a station. Until you know where a station lays down an acceptable signal, day and night, winter and summer, it is next to silly to attempt to define the peculiarities of your audience, whether you use mail, telephone, personal interview or any other method. Therefore field intensity surveys are basic, and have nothing to do with a stations popularity. The survey simply shows *where* a station may be heard consistently.

Using the field intensity survey of our station, I have asked advertisers to consider the cost-per-mile of dependable coverage. Cost-per-mile, it seems to me, is entirely analogous to cost per 1,000 circulation, ABC. Obviously, an advertiser would not buy a certain newspaper or magazine with limited circulation because its rates were cheaper, in dollars and cents, than the publication with much wider circulation. Yet, there still remains a surprisingly large number of advertisers who consider rates *only* when selecting a station for their campaigns. And in this connection there is one important fact that is overlooked in all efforts to set up a cost-per-listener basis. This fact is that, intentionally or otherwise, no regard is taken for the number of stations in a given area. We are told, for instance, that in the metropolitan areas, where the percentage of radio receiving sets is greatest, that the number of sets, or listeners, divided into the cost of a single station's time, gives the cost-per-listener. Absurd! No one station could possibly have all the audience, or even a major portion of it. So there must be some consideration given to measurement of station popularity. It is quite likely that in communities where there are few broadcasting stations, the number of listeners tuned to the dominant station is even greater than in the highly saturated areas where there also are a large number of broadcasting stations. Also, there is a tendency on the part of some to point to the total population as evidence of potential worth. More bunk, for if the population does not have receiving sets, then the programs are *not* being heard. So, it is the number of radios, plus the number of persons per family, that counts, and not the total number of people.

Competent engineers have recently undertaken to set up definite standards of measurement of primary and secondary zones of influence. They are using sound engineering principles and their reports decidely are a step in the right direction. They are not endeavoring to establish the relative popularity of stations, other than on the general proposition that the listener prefers the station that gives them the strongest signals.

The advertiser wants more than proved signal strength, however, to establish a station's value. This must be done by some other method.

For individual stations to undertake to obtain both field intensity measurements and have popularity surveys made, it would require an outlay of time and money far beyond the value of the information. A compromise governed by purely practical consideration, will have to suffice until such time as a cooperative plan of auditing broadcasting can be formulated.

The Commercial and Engineering Committee of the NAB should be designated to work with the radio committee of the 4 A's with the view to establishing such a bureau as that recommended by the 4's. The established agencies now engaged in development work, either in the field intensity or station popularity surveys, should be given every consideration in the development of a Radio Audit Bureau.

MR. HARLOW: I am afraid the engineer had the wrong idea of the purpose back of the Yankee Network survey and I just want to briefly outline that and let you draw your own conclusions. We were not interested in making that survey to know the potential audience of our stations. It was made on four stations.

We had in mind in making that survey one purpose only,—for in the final analysis it isn't where your station reaches potentially, it is who is listening now, this moment.

In order to be perfectly fair, we only took the hours when all of the stations were on the air, that is, all the major stations were on the air. There were some minor stations which we felt any survey to be comparable, of course, could not consider if it was to be fair.

The survey was made through an independent audit, in fact the people employed didn't even know whom they were working for. I think there were three of us at the station who knew, that is all.

We made the same number of telephone calls every fifteen minutes of the day and the evening for seven days and the operators who made the calls merely asked the question, ''Good morning,'' or ''Good afternoon,'' as the case might be, ''this is the Radio Audit Bureau,'' ''would you be willing to tell us whether or not when your telephone rang your radio set was tuned in?''

Of course, if the set was not tuned in, it was an incompleted call. If they said, ''Yes, the set is turned on now,'' the operator asked ''Will you please tell us to what station it is tuned in?''

But such questions as those in the New England audit, we honestly believe are eminently fair and the only way to get actual truth. That is our belief.

MR. CAMPBELL: I don't think I questioned the advantage or the accuracy of the method, at least I certainly did not intentionally do so. I read your reports very carefully. I read Mr. Mann's correspondence and communication. The point I tried to make is that such a report proves program popularity. It strikes me that where somebody has a flock of listeners at one particular time and another station does not, that is not particularly a proof of listeners who are listening as such to WBC. They are listening to Amos 'n Andy or something else. Your program structure changes.

That survey now, in my opinion, is probably 30 per cent inaccurate because you undoubtedly had a 30 per cent change in program since that was made. Yet you undertake to establish that as a survey of station popularity. It strikes me as being rather far-fetched. That is the point I am making.

MR. HARLOW: That, unfortunately, I can't answer. The survey was taken both in the summer and in the winter.

MR. CAMPBELL: Both in summer and winter. Well, I didn't get that impression. I thought it was a one-week survey.

MR. HOWLETT: Mr. Chairman, I have established the fact popularity of the station waxes and wanes and in accordance with its program structure. You have agreed to that. It seems to me as an advertiser uses the station when it wanes, that is exactly its value, and when he uses it as it waxes, that is its value, too. To seek to determine a value that is constant is not in the final analysis a true value of its potential worth at that moment.

MR. CAMPBELL: It is not possible, I should say.

MR. HOWLETT: I think the surveys suggested are an excellent form.

MR. CAMPBELL: I agree with that. I mean to use that sort of a survey over a period of months or years, unless it is taken regularly—and I think a survey perhaps, even an intense survey would have to be regularly made. A survey made six months ago would be more or less valueless as to popularity.

MR. HOWLETT: Let's find a simple form to follow, shall we?

MR. CAMPBELL: My suggestion is the field intensity survey as measuring the potential coverage, not the potential audience. The potential coverage, I think, is certainly the first step.

MR. WEBER (N. B. C., Chicago): Going one step further in view of the criticism of 100 miles and so forth, I would just like to ask one question. In your plan, I believe you wish to develop a formula for the measurement and comparison of stations. Your field intensity offers you the first factor. I would like to know what your plans are in using the other factors, what weights are to be apportioned, such as the hours of operation and other things you mentioned.

MR. CAMPBELL: I think any answer to that question would have to be given four or five years from now. There are so many factors obviously that we can't answer it. I think station personnel is a tremendously interesting fact. I have in mind one station, a small mid-western station under one management that got $65 for a fifteen-minute program plus talent. The same station is there today, the director is gone, and today that station is selling time and talent for $15. It is the same station in the same field.

MR. HOWLETT: Not talent.

MR. CAMPBELL: That certainly isn't due to variable factors in field incidence or anything like that. There are so many factors that any one or two or three are obviously far from a solution.

MR. WEBER: I understand you intend to adopt some formula for measurement of stations, and until such time plans that have been worked out are the best.

MR. CAMPBELL: To set up a formula. That is already determined by the engineers in microvolts per meter.

MR. WEBER: You have no positive position to your technical equipment, hours of operation and other factors; take into consideration the comparison.

MR. CAMPBELL: If I were an advertising man, I would take those facts and perhaps use my own judgment on them.

MR. WEBER: You couldn't call it a complete station survey.

MR. CAMPBELL: It would cover a potential survey only.

MR. PHILLIPS: You make the statement, Mr. Campbell, people like loud stations. As I gather now, you say they shop for programs. How do you feel they listen, more by feature than by stations or vice versa?

MR. CAMPBELL: That is a question that will have to be answered both ways. In New York, where they have a wide variety of programs and things like that, they will shop for programs, but as a general proposition, when they go to turn on the radio just for radio, they will tune in the loudest station. That is the point I make there. I think that has been brought out on several occasions.

MR. HOWLETT: I would like to inject perhaps a different thought into this. I am in perfect agreement with the formula being made for the judging of the value of a station, not necessarily comparison with another, but a formula. It should be very simple inasmuch as any true test of a station is worth most, we have found today, if it is made consistently at not too widespread periods, hence the expense involved is a very considerable item. I think we should get this settled one way or another very quickly. So long as we permit the industry to be agitated as to what is the correct formula, what is our coverage, how we measure it, just so long will we keep it a subject of agitation in the minds of the advertising agency. They are perfectly satisfied when the Audit Bureau of Circulations says we have 250,000. Beautiful! What is that 250,000? Well, that is 250,000 people who buy the newspaper. They have no assurance of how many of those people were home the night the newspaper was delivered or of those who were home that read the newspaper that night, or those who were home and read it that turned to the page the ad was on, or those who were home and read it and turned to the page, saw the ad and read it.

You can reduce that thing down to a point just as indefinite as anything we do. I am opposed to a constant disturbance within the industry by a seeking to try to make formulas and to get proper measurements that settle this thing. Let's settle this thing one way or the other quickly so we can get down to business and not be at the mercy of the advertiser and the professional researchers and survey makers, who each have a theory that keeps the waters boiling up until we ourselves, as I notice from some of the gentlemen here, don't know where they stand. You can find out marvelous things and we have conducted such a survey as Mr. Harlow conducted some time ago with the largest, with the biggest program in town, I should say it was, with the largest number of listeners. It showed that that station carrying that program had, I think, at the time 93 per cent of the listening audience. So the telephone service showed. We continued the survey through the Research Bureau of the Telephone Company a half-hour longer, and at the end of the half-hour that station's listeners had dropped to 7.3 per cent.

MR. CAMPBELL: Exactly.

MR. HOWLETT: How are you going to measure that?

MR. PATT: I think Mr. Campbell's conclusions in his report are pretty accurate. I don't think we can say that any one kind of a survey; it is the survey. I think we have described in this little discussion three kinds of surveys—the engineering survey, which gives us our potential audience; the telephone survey, which gives us an actual audience for a particular day and not necessarily that same program the following week, and a questionnaire or interview survey, which gives us some indication, not an accurate one, either, Mr. Harlow, not entirely accurate, about station popularity in general. I think all three of those surveys have merit. I think that more or less all of us have indulged in one or more of them. I know we have tried all three of them.

MR. FETZER: I would like to hear from Dr. Jansky on the subject. I feel he could give a contribution to the conversation.

CHAIRMAN CARPENTER: Dr. Jansky.

DR. JANSKY: In our work, in its very early stages, we face the necessity of defining, if you please, the effectiveness of the station in such way as will permit us to compare the effect of one station with that of another for regulatory purposes, to show what the effect would be of changing the power of the station, of changing the frequency of the station or of changing its location from the standpoint of the number of people who could receive that station.

That work was first done from a purely regulatory standpoint. We found that there was some demand for that kind of information from the standpoint of the commercial field. We found there was a need in the broadcasting industry for something, the nearest possible equivalent to the Audit Bureau of Circulation's statistics in the newspaper field. We felt that there was a need for the development of a yardstick which would permit comparing station A with station B, in addition to showing absolute results with respect to the effectiveness of the station.

Two requirements stared us in the face. The first of those requirements was that the yardstick should be capable of interpretation in terms understandable to the station manager, the advertiser and the agent. The second requirement was that it should be capable of uniform application to all stations. We set about trying to develop that yardstick.

The preliminary work had to be done before we surveyed our first station. Having done that preliminary work, adopted the terms primary and secondary and given to them quantative definitions, we set out to apply our standards. We submitted the results of those studies on a limited number of stations to the Radio Committees of the American Association of Advertising Agencies in Chicago, Philadelphia, New York and Boston. It has been under consideration by those committees and by the association since that date. The results of that consideration you know.

Since that time, we have gone on measuring other stations, applying exactly the same standard to station A, station B and station C, and certifying to it. We felt that we had to do that if the result was to be of value. We did not expect by so doing to accomplish any definite, conclusive results in any short period of time. We did not expect to supply the answer to a maiden's prayer and tell the advertiser and the agency all that we know they wanted to know about broadcasting. But we did hope to supply a yardstick capable of accurate application to stations which would enable the stations and the advertisers and the agencies to use as a basis for further research and development to give them more and more and more and more information directed toward the evaluation not only of specific stations, but towards the complete evaluation of radio broadcasting as a medium.

Now types of surveys. Surveys and research work divide themselves into two things—station potentiality and reactions of listeners to programs. You will find today, tomorrow, next year or five years from now that because of the inaccuracies of treatment of any survey method that you apply, listener habit studies, you cannot get the degree of accuracy which will permit the uniform application of this yardstick to all stations.

There is a fundamental law that I am going to state in about ten words as applied to coverage as we define it. We define primary coverage of an area as that area throughout which a station can be heard consistently at least 80 or 90 per cent of the time without interference. And because there is a distinct difference between night and day time conditions, we subclassify it day and night. We define secondary coverage as a coverage which can be heard either without interference from 20 to 80 per cent of the time, or coverage which is available with some interference and yet still usable perhaps.

The law is simply this: In an area receiving primary service from several stations, listeners will choose between the programs of those stations purely on the basis of program appeal. There may be a lumped-up value of that, but people will switch from station A to station B and to station C and back again. I can show you plenty of evidence of that in areas where we know the primary conditions exist. In an area, however, which receives no primary service but only secondary service from several stations, broadcast listeners have a decided tendency to select that station which produces the best and most consistent signal. That is what Mr. Campbell is referring to when he says they pick the best.

You talk about listener habit studies. We are talking about one thing, the reaction of the listener to the program. I would be the last to say that such studies are not valuable. I think they are extremely valuable. The more we have, the better. But they must and will ultimately find their correct place in this picture which is to enable the advertiser, the agency and the station to evaluate programs, to build programs in the best way. But those studies cannot and never will furnish the basis for an adequate yardstick to permit, if you please, the selection of stations with the same overall or any popularity on the basis of potential coverage.

Potential coverage, the people that you can reach if you put on the right kind of a program, is something we can and are measuring accurately, and a knowledge of potential listeners or coverage as we define it, expressed in adequate terms, must ultimately form the basis for adequate listener habit studies if those studies are to be of any value at all. As I say, we had to face these issues before we surveyed our first station of trying to adopt standards which would be usable and then we had to apply our engineering knowledge of reception conditions to measure coverage in terms of those standards. Now perhaps we didn't define coverage right. We have considered whether we should have three grades of coverage or more, but we came down ultimately to the definition we are now using. We have some indication that they are pretty nearly correct, because we are still using exactly the same standards and the same methods as we did with our first station.

Coverage once measured for a station is fixed until there is a change in frequency or a change in power or a change in location which affects it. The same studies that we made almost two years ago on WMT still hold, and they will hold until there is some radical change made. That has been our objective and the results of what we have done are common property, they are available to those who want to use them. We only hope that in tackling this small part of the complex problem we have contributed something to an industry of which we are a part. (Applause)

MR. CHURCH: I think that every member of the Commercial Committee are interested in really seeing something done on this problem of coverage. I would like to have Dr. Jansky tell us just what has happened recently since the last meeting of the Commercial Section as regards the efforts that have been made with the four A's and others in attempting to arrive at a solution of the problem that might be acceptable both to the advertising agencies and to broadcasters. Perhaps our Managing Director will wish to comment on that after Dr. Jansky has finished.

DR. JANSKY: I don't think I can tell much more than I have except, as you know, what the actions of the board of the four A's were and the actions of the platform that was adopted. We have been asked about the measurement of coverage on a very large scale, some 150 or 200 or 300 stations at one shot. I have said, of course, from the standpoint of economy that is the best way to measure stations and the cheapest. However, I have also expressed the opinion I don't think that is the way the coverage of stations will be made. I don't think all stations are prepared to have their coverage measured at one fell swoop. There may be some stations who will never want their coverage measured by engineering methods. Station managers come to me and say, "I want you to measure our station. I am moving my transmitter and I prefer to wait until I get it moved.''

It is a perfectly legitimate reason. Why have it measured now if within six months he is going to have the station moved and improve his conditions perhaps 100, 200, 300 and perhaps in some cases, such as I know, 600 per cent?

So I have the feeling that this isn't the sort of thing that will be settled over night. We will probably be arguing six months from now or a year from now. What we have tried to do as an organization trying to cooperate with the broadcasting industry to the fullest extent was to try to the fullest extent to see what we felt would be the ultimate answer and to shape our course towards it. We are interested in whatever course works out best in that situation.

CHAIRMAN CARPENTER: It is about time for us to adjourn and eat a little. Before adjournment, I would like to appoint a Resolutions Committee, and any of you who think there should be certain resolutions passed, please see that committee and have them work it out and we will vote on them here this afternoon and you can say yes or no.

That Committee is—

Harry Howlett
Roy Harlow
Martin Campbell

It is twenty minutes of one; we will meet here at two o'clock.

* * * The meeting adjourned at twelve-forty o'clock * * *

TUESDAY AFTERNOON SESSION

June 27, 1933

The meeting convened at two-fifteen o'clock, Chairman Carpenter presiding.

CHAIRMAN CARPENTER: We have a number of resolutions to be presented as soon as we hear the rest of these discussions, and the resolutions themselves may provoke sufficient discussion to keep us here for some time. We want to get along as rapidly as possible this afternoon without slighting anything unduly.

The first man this afternoon is to discuss ''Standardization Units of Sale and Rate Practice''—Arthur B. Church, of KMBC, Kansas City. (Applause)

* * * Mr. Church presented his prepared paper.

STANDARDIZING UNITS OF SALE AND RATE PRACTICES

By ARTHUR B. CHURCH

One of the problems in the business of broadcasting today is relatively simple to solve. Perhaps that is why it has thus far received little concerted attention. All will agree, I believe, that there is a need for standardizing units of sale and rate practices in radio. I hope this discussion will result in the adoption by the N.A.B. Commercial Committee of definite recommendations to be presented at the annual convention in October.

Rate cards are already quite well standardized as to form and general classifications. They are not standardized, however, as to time classifications, program length, frequency discounts, amount of commercial copy in programs, length of spot announcements, and number of words per minute. Practices on these things and associated matters can and should be standardized.

A study of Radio Advertising Rates and Data indicates that all stations sell program time in units of one-quarter hour and one-half hour. Most stations quote on one-hour and a constantly increasing number on five minutes. An appreciable number quotes on ten minutes.

Broadcasters should try to answer these questions: "Are programs shorter than fifteen minutes in the public interest? Should their sale be encouraged by including units of sale less than a quarter-hour in the program classification?" My own present opinion is that five-minute, so-called, programs are parasitic and should be discouraged.

At this point I would like to interject that I am not attempting to present a finished formula. I do hope, however, that in the floor discussion following my introduction to the problem, we may evolve specific recommendations for the consideration of the Commercial Committee.

A constantly increasing number of stations now have three or even more classifications of time, while a few years ago these were limited to day and evening. Standardizing time classifications is difficult because of the differences in sectional habits. Dinner time in New York, for example, is considerably later than dinner time in Lincoln, Nebraska.

Some middle-west stations which formerly had night-time classifications of six to twelve, now classify six to ten-thirty as Class A time and later time as Class B, or Class B and Class C. Other stations classify very early morning and late night as Class D time at one-third Class A rates. This seems not illogical, comparing probable potential circulation. In fact, for most sections of the country, I favor the practice of four classifications of program time, as complicated as this may at first appear. The advantages appear to outweigh the disadvantages.

Lack of standardization in frequency discounts constitutes one of the most annoying situations in radio today. This is substantiated in a recent letter from one of the two principal spot broadcasting organizations which reads in part:

"From our standpoint, the standardization that we feel would prove of most benefit to the industry would be one that would apply to frequency discounts. It would simplify matters immeasurably if all stations would accept and publish the customary scale of discounts, namely, 5% for 13 times, 10% for 26 times, 15% for 52 times, 20% for 100 times, and 25% for 300 times."

This scale of discounts is in use by several stations, and is rather similar to the frequency discount schedules adopted by the networks. Perhaps this is a satisfactory scale, or perhaps it can be improved by further contact with the 4As Radio Committee and the network and spot broadcasting organizations.

Since the advent of the quarter-hour serial features, many stations have established special discounts for three to six quarter hours weekly. Several years ago KMBC began publication in its rate cards special rates for weekly strips of quarter-hours daily, except Sundays. The recent tendency to shorten the serial strip to five programs weekly has led agencies to request a rate of five-sixths the six times weekly rate. It appears that the multiple weekly programs are here to stay, in which case a standardized frequency discount procedure of some kind should apply.

A relatively new classification of program time is "Run of Schedule" which, as the name implies, is time subject to change without notice, and carries a substantial discount. There seems to be a definite field for "Run of Schedule," or "station run" as it is sometimes termed, and it should be given consideration in a standardized set-up.

There is at present lack of agreement in the classification of addresses, lectures, political talks. Some stations sell time for such material at program rates, while others quote at special rates which are usually higher than program rates. It would seem desirable to standardize the classification for addresses.

Most stations accept electrical transcription programs at regular program rates without restrictions as to time of day. Some, however, place restrictions as to time and make a surcharge. In the interests of spot broadcasting it seems that, as rapidly as possible, stations should be discouraged in penalizing transcription programs. It should be the aim of stations to simplify procedure in the sale of spot broadcasting, not to complicate procedure by the placing of time restrictions, making transcription surcharge, music royalties, handling charges, etc.

One of the most difficult questions in connection with programs is "How much commercial copy?"

A well-known advertising official recently expressed his views to me as follows:

"The amount of commercial copy which can be used in a broadcast without making the listener feel that it is "too darned much advertising" appears to depend in a large measure upon the character of the work and the adroitness with which it is worked into the script. For example, while I believe that a minute and a half of advertising copy is not out of order in a half hour program, it would be out of order if the minute and a half were given in one fell swoop. But if this minute and a half is split into three "takes"—one placed at the start of the program, one during a break in the middle and one at the end. I have found that radio audiences will not object.

"The big danger with all commercial copy is getting the public so fed up that it makes no impression upon them at all. This is a copywriter's job, and we are learning to use more adroitness in getting it over."

I have received from agency executives and spot broadcasting officials a number of very interesting letters on this subject, all of which boildown to the expression,—"It isn't the number of words, but what is said and how it is said, that counts."

Station managers however, are frequently confronted with the problem of excessive commercial copy, both in continuity prepared for studio productions and in electrical transcriptions.

Control of copy in spot announcements is less difficult, but here again there is need for standardization. The valued opinions of agency executives as to the maximum number of words one-minute announcements should contain showed a variation of from 100 words to 180 words. The mechanics of handling announcements must not be overlooked. Just as quarter-hour program periods actually are about 14½ minutes one-minute announcements must be slightly less than that time. From the station standpoint 120 words would seem to be the ideal maximum for one minute rather than 150 words which is now allowed by many stations.

My suggestion for the standardized time length of announcements follows:

¼ min.—maximum 30 words
½ " " 60 "
1 " " 120 "

The so-called "chain break" quarer-minute announcements (the use of which between commercial programs I do not condone, but the sale of which many station managers consider economically necessary with present unsatisfactory network set-ups) should not be longer than 30 words—even though a standard of 75 words for ½ min. and 150 words for 1 min. is adopted.

In this standardizing process perhaps attention should be given to recorded announcements and to announcements calling for musical background or sound effects or the use of more than one voice, also consideration should be given word count definition.

Many station rate cards include classification special features for complete sponsorship—including time announcements, weather reports, etc.—also on special features for participation sponsorship, such as home economics programs, rural hour, children's features, etc. Most advertising agencies appear to favor rate card quotations on special features—particularly on time signals and weather reports and urge standardized length of copy.

In this introduction to the problem of standardizing units of sale and rates and associated practices, I have not attempted to offer a complete solution, but rather to formulate the questions which, after consideration by the radio section represented at this meeting, should be answered in definite outline by the commercial section of the N.A.B. and presented to the annual convention with recommendations to adopt with such amendments as may be voted by the body. I believe it would not be too hasty to aim to put such new practices into general effect by the simultaneous issue of new rate cards January 1, 1934.

CHAIRMAN CARPENTER: Are there any questions?

MR. PHILLIPS: It is not a question that I have. There is one classification which probably you overlooked and that is the special summer rate. It seems to be increasing in popularity and I thing we should make some concerted effort to discourage the practice of that.

MR. CHURCH: Several years ago, we, like some other stations, experimented with a special summer discount. I came to the conclusion that it was psychologically all wrong, that it was something that attention should not be drawn to, and I intentionally left it out of this discussion. There is no question but that the percentage of receiving sets in operation in the summer is constantly increasing. I think I have read recently that it is estimated on fairly good authority about 90 per cent, fully 90 per cent of receiving sets are in operation in summer. Of course, it is quite different than five or six years ago.

MR. PHILLIPS: I think it is something we should say as little as possible about, and at the same time in order to discourage the quotation of the rates, I am afraid we are going to have to talk a little. I wonder if something could be done in that regard

MR. CAMPBELL: In answer to that, it came up in New York last week. It happened several of us were in a sitting on a schedule for some beverage advertising. He raised the question since he was an advertiser using it only in the summer or largely confined to the summer, he should have a special rate. My answer for WFAA—which is probably the southernmost station represented here, and where there is supposed to be considerable static and that sort of thing—was "Our rates are based on summertime coverage, and any winter coverage or any other coverage is a plus coverage and not taken into account in the rates."

I am not at all willing to admit that our station or any station, as far as that is concerned, is worth less in the summer than in the winter. If the station is worth less in the summer, then it is worth less in the winter and the rates overall should be brought down.

We satisfied this particular advertiser. There were several of us present and we convinced him as far as our station was concerned, there was no justification for a special summer rate. We do make one concession, and that is voluntary on our own part. We have only two rates—day and night. We break at seven o'clock during the period of daylight saving time in the metropolitan centers and at six o'clock at other times during the year. It is our own plan and was not suggested by anyone else.

MR. CHURCH: I think that most stations are raising their rates on their primary coverage. If we stick by our standardized definition of primary coverage, that takes care of it so far as the special hub rates are concerned.

MR. HETTINGER: We made a study of that question, of the summer audience in the City of Philadelphia in 1931. We went at it very carefully, with about 3000 cases spread very carefully throughout the town. We checked up on about how many people went away at different times, how many went away over any weekend, what proportion of the set owners were away during different weeks in the summer. What we found was that at no time during the summer was there more than a 20 per cent drop in audience, and that only during the last weekend in July and the last weekend in August. We found that the average for the summer was about what Mr. Church said, a 10 per cent drop at the most.

If there is one thing that has to be corrected, it is this myth about the declining summer audience, which has come into our minds probably because we take vacations and can get away. Figure out the number of people who cannot, not only in the depression, but in normal times.

Then let's figure one other thing. I am thinking of when you are selling your own station in your own town. With receiving sets improved as they are today, it takes a fairly bad evening to cut out the local station. It may cut out the secondary coverage of some outside station. It gives you a greater monopoly over the air than you have in the winter. As a matter of fact, if you take station popularity, at least the measure we used, you could see that in summer and winter. You could see certain stations carrying the same programs from the outside as were carried by certain local stations in the town go down by a certain per cent and a local station carrying the same program went up by the same identical percentage. So that you had a very definite picture there.

DR. JANSKY: I would like to emphasize what Mr. Hettinger has said. There is no change in primary coverage of stations in winter and summer. There is not as much change in the secondary coverage area from winter to summer as most people believe. There is a decided change in the number of people at remote distances who get stations in summer and winter. If you look back into history, I think you will find that is why this great myth has arisen with respect to summer conditions and winter conditions. It hinges solely on the listener 1000 miles or thereabouts away. It is fortunate the primary coverage areas of the station are the same summer and winter.

CHAIRMAN CARPENTER: I think possibly this may bring it to a head if I read the resolution which Arthur prepared a short time ago.

RESOLVED, That it be the expression of this meeting that the problem of standardizing units of sale and associated practices deserves a study of a committee of three to be appointed by the Commercial Committee chairman, with instructions to report at the annual N. A. B. Convention in October with specific recommendations.

CHAIRMAN CARPENTER: You move the adoption of this resolution, Arthur?

MR. CHURCH: I move its adoption.

* * * The motion was seconded, put to a vote and carried. * * *

MR. PATT: Mr. Chairman, Arthur mentioned something about four program time classifications. I would like to know what you mean by those.

MR. CHURCH: Martin mentioned a few moments ago his station maintained two time classifications, day and night. I assume by that the day classification was to seven P. M. and the night classification from seven P. M. to twelve midnight or eleven P. M.

MR. CAMPBELL: We quit at ten-thirty. The rate is not changed on the rate card. It is just in case an advertiser will come in between six and seven, and that is particularly day time advertising. We do not want to be on the air in the mid-afternoon. We take care of that by increasing the daylight time one hour and making the night rate from seven. It is not given on the rate card.

MR. CHURCH: I have been criticized for complicating classifications of time by setting up a classification of four periods of the day, classes A, B, C and D. I think that that much classification is wanted in the case of many stations, possibly not all stations. There cannot be a complete standardization of time classifications due to local conditions. We can, however, adopt classifications as to A, B and C, or A, B, C and D in standardized set-up, with recommendations that time be followed as closely as possible for those classifications. It seems to me that local conditons will prevent complete standardization.

MR. PATT: Taking a time and $100, how would you classify B, C and D, as half, third and quarter rate or something?

MR. CHURCH: In our case, we define class A time six to ten-thirty P. M.; class B time, five to six, and, incidentally, we made our five to six time valuable by spending a lot of money on that hour and building up the artists, and now we have no difficulty selling it. At the present moment, we have three quarter-hour scripts sold between five and six P. M. We are getting practically night rates for that time.

I think our rate for class B runs about two-thirds night.

Class C is nine A. M. to five P. M. There again local conditions make our time before nine A. M. less valuable, which is our own fault, than it should be, and we put it on class D classification, class D being one-third of the night rate.

CHAIRMAN CARPENTER: Is there any other discussion on this point before we move to the next one?

This committee will get under way as quickly as possible and have something ready for the convention this fall.

"Standardization of Commercial Forms," Roy Harlow, of the Yankee Network.

STANDARDIZATION OF COMMERCIAL FORMS

ROY L. HARLOW

Mr. Chairman, I think that my report is largely water that has gone over the dam. Perhaps the one advantage may be its brevity. The group may possibly be interested in exactly how the committee attempted to arrive at some definite conclusions on the standard forms. At the time that I was assigned the job, the N. A. B. were aware that the four A's had a Radio Committee, who were trying to develop some type of a standard form which would be acceptable to all agencies and to the broadcasting stations. So obviously my first contact was with Fred Gamble in New York. Fred and I both agreed that we would each prepare what we considered a standard form of contract and then at some subsequent time we would get together and compare notes and see if we could arrive at a mutual conclusion.

I immediately wrote letters to all of the commercial stations in the United States and Canada and Mexico and Cuba. Some of those stations, I admit, were largely excuses to find out what was happening.

I must say I was astounded at the answers I got. I found contracts which were all the way from the size, as near as I can recall, 2 x 5 inches, which contained no terms and conditions whatsoever, to almost a complete broadside with terms and conditions on both sides. It would have taken at least two or three hours to read the thing. I don't know how much longer it wolud have taken to analyze it and find out what it was all about. It was quite conclusive that each station had built its contract based on contingencies which had arisen week to week, and month to month, which had been turned over to a very capable attorney who feeling that he must earn his salary had put into whereases and whereifs sufficient clauses so that that particular contingency would be taken care of in the future.

I just want, as a little sidelight, to point out one thing which was a bit amusing. I found that the stations were quite at a loss as to how to protect themselves against unforeseen contingencies and their responsibilities therefor. In compiling these different clauses on that one thing alone, I found that the stations in this country had satisfactorily protected themselves from any responsibility for acts of God, failure of transmission, impairment of transmission, delay in service, failure to provide copy, failure to be on time, conditions not within its control, unfavorable weather conditions, government regulations, mechanical difficulties, storms, strikes, fires, lightning, insurrection, city, state or governmental requirements, civil or military censorship, distress signals, damage to property of client, injury to persons, failure of power, floods, riots, acts of public enemy, act of the public foe, embargoes, accidents of performance, accidents to employees, loss of valuables or property of user, and many more minor ones. (Laughter)

Well, now, none of those were put in without serious consideration on the part of the station who included those clauses in their contract, and I found on further examination that the writers of those clauses were pretty insistent that they be included because of some contingency which had occurred.

Well, now, what occurs on that one clause could be followed through on about every other operation of the station, the program, the set-up of its equipment and everything else.

We attempted first, from my angle, and I regret that it took three months to accomplish it, to take each clause and to incorporate some phrase as near as possible which would include all of the requirements desired by the broadcasting stations, and when the work was completed, Fred Gamble very courteously came to Boston and spent a day with me. He had set up a contract which was obviously the opinion of the advertising agencies as being correct in all details. Together we fought the battle. We both had to give in on a good many points.

Subsequently a meeting was held by the Commercial Committee in New York with the Radio Committee of the four A's and a form of contract was finally adopted by the four A's, based on these meetings and the work which we had accomplished. That report was turned in last year, I believe, at the N. A. B. meeting. It is now in the hands of the Managing Director and the Board of Directors.

The only stumbling block we found really when we came down to a completion of the work was leaving with the station absolute control over its program and the right, of course, which it had to maintain of cancelling a program in order to take another one in the public interest, at the same time giving the advertising agency a reasonable assurance that his property rights and his client's rights were going to be protected, and what was to occur should such a contingency arise, and then the matter, of course, of certain of the stations which had chain affiliations demanding a four-week cancellation and the advertising agencies on their part demanding a two-week cancellation. There were several recommendations, of course, which that subject evolved, but I believe in one fashion or another most of you have seen what has been proposed as the final draft, and I don't need to talk any more about it. I merely make this as a very brief suggestion that there must be other forms in use by radio stations which have outgrown their usefulness and which in the interests of better business and better understanding might be improved by further study. That is entirely up to your own committee. (Applause)

CHAIRMAN CARPENTER: Are there any comments? Do any of you feel there is sufficient work there that we should set a committee to work to report in October on standardization of other forms in broadcasting stations? What is your feeling in that matter? Are there other forms that should be suggested to the Standardization Committee?

MR. HOWLETT: We could all profit by that undoubtedly.

CHAIRMAN CARPENTER: We will appoint such a committee.

Are there any other comments?

"Sales Problems Common to Both Small and Large Stations," Leslie Fox, of WSM, Nashville, Tenn. (Applause)

"SALES PROBLEMS COMMON TO BOTH SMALL AND LARGE STATIONS"

By LESLIE FOX

MR. FOX: I am going to take advantage and profit by the example of Arthur Church. I am not going to give you what I have written here in the form I had planned on account of the very shortness of time.

I presume that in asking me to lead the discussion today on the subject, "Sales problems common to both small and large stations" no doubt Mr. Carpenter had in mind that having been connected with both a small and a large station, I would see many things which were common to both types.

I have prepared a list of subjects which I think we should discuss. Prefacing discussion of the various subjects, I will with your permission, make enough comment to start a discussion and I hope that everyone will get heartily into the game in order that we may, all of us, express our minds. We are all friends, all here for a common purpose and let us call a spade a spade at all times.

First, we have the subject of rates. The first thought I have regarding rates is that we must know before we sell time what our time is worth.

The only way we can arrive at any information along this line is by setting up an accounting system which will definitely establish actual operating costs.

It is just as essential in radio that we know what every hour costs us as it is necessary for the manufacturer to know what his product is costing before he makes a price at which he will sell it to the trade.

In arriving at our rate it is perfectly fair that it should be based first on operating cost and second on the market served.

We cannot operate on a basis of a commercial hour sold, guessing at what our actual operating cost is for that hour plus talent, continuity and other things which enter into it. We must know our total operating cost and the hours sold must carry the load of the ones which are not sold.

On this system we are not doing anything more than any other manufacturer would do. He would figure his rent, lights, interest on investment, insurance and everything else into the cost of his product and from that cost would be derived the sales price.

I think it is necessary that we have an accounting system which will show us all of these things at a glance. I hope some day to have an accounting system which will permit me to know at any day exactly what it cost to operate the entire station yesterday, last week, last month and for the year. I would like to have a system and hope to have one which will give me the actual operating cost of any hour which I wish to sell.

I think one of the toughest customers we have in radio today is the chiseller. Next to him is the local advertiser who feels that on account of the fact that his market is small and that his concern is comparatively small that he should be entitled to a rate lower than the large manufacturer or distributor who is operating in a large territory.

Under this heading—you will note that I have divided the subject into two sub-headings. First, local rates. Should there be two rate cards?

Personally, I am definitely for a single rate which is the same to everybody under all circumstances. If we had a medium which, like newspapers, could be expanded or shrunk to meet the situation, then there might be some justification for a local rate, but we do not have it. We are either carrying a great deal of sustaining program which costs us real money or we are on the other extreme—sold out. If we are carrying the load with a great sustaining program, it is a temptation to do almost anything to get some business, however, if our price is right and based on what it is costing us to operate, that is the lowest price we can afford to take under all circumstances and unquestionably that price should be the same to everyone. If every station, large and small, had only one rate and stuck to it, radio business should be 100% better. I personally know of accounts which have not used radio because different quotations had been made them by different people and they were so disgusted by the whole affair that they used other mediums which did have a standard of operation.

Under the second sub-heading is the question—Is there ever justification for rate cutting either national or local? Here again I want to go on record as expressing my opinion that there is not.

We, all of us, like to think that we are good horse traders. The majority of us are not. The result of this in radio is that there are a number of concerns who are buying their own time direct and are going out into the field and chiseling, chiseling, chiseling until they get at a price which is oftentimes a direct loss to the station.

I had a man in my office recently for two days trying to buy time on our station for less than our rate. He told me (I will not say that this is true) that of 108 stations which were being used by this company, 106 had sold time at less than their card rate and that our station and one other were the only ones which had not.

I lost the account because I would not cut rates and I want to say to you now that I will lose the next one hundred accounts before I will cut rates. If our rate is too high we will reduce it, but we will make the same offer to all prospective clients and they will not have to chisel to get it.

I think one of the greatest problems that every station has is to sell it's daylight time. There are certain hours during the day which, of course, are recognized as better than others and those hours as a rule are pretty well sold, however, there are others which are more or less dead timber as far as sales are concerned. It seems almost impossible to sell them.

Concerning this, you will note that I have made three subheadings. The first of them is a survey of listening habits in order that we may intelligently tell a prospective client what he may expect during that hour. It has been suggested and, I think rightfully so, that the rate at various times during the day should vary according to the listening habits of the audience.

It seems to me that there is a great deal of money uselessly spent in radio during evening hours which might well be saved if we could sell our clients on the idea of playing to a certain definite audience. Surveys have established that during daylight hours we have an audience which is predominantly women. There are a great many products which are of no interest whatever to the men folks of the audience, therefore, I think we could well afford to use what information we have available, or which might be had, to sell a client on the idea of playing to the type of audience he wants to reach. For instance, I can see no good reason for talking millinery to a night audience because only the ladies are interested and oftentimes the men are bored and if we had our client on a daytime hour in which it was directed to the ladies only, we would not only do a better job, but would open up a period at night which could be sold to another client.

There is a world of undeveloped business which could and should use daylight hours. For that reason I think it is very important that all of our efforts in our daylight programs should be directed toward building and holding the largest possible audience. In this way we have something very definite to offer the client who is a prospective user of daylight time and unless we do have the audience we certainly have no right to expect him to use our station in preference to one which does maintain a good daytime program. It is true that the maintenance of a high class daytime program would very likely run the operating cost up, however, I think it would be productive of enough additional business to make the cost justified.

When we take up the sale of time on a contingent basis we are undoubtedly taking hold of something hot. There has been a great deal of discussion regarding it in the trade journals. I notice that some of the stations are for it and some are against it. I do know that even the 50,000 watt stations are being importuned at all times to accept business on a contingent basis and I want to say right now that as far as I am concerned I did not accept it under any circumstances at Wichita nor will I accept it at Nashville. I imagine that radio is the only advertising medium in the world which is asked to gamble its facilities against the prospect of a return. My answer to the advertiser who wishes me to accept his account on a commission basis is that if it is good enough to make money for us on a commission basis, he is silly to want to place it on the station that way because our regular card rate would be a bargain. If it does not produce we would not want it on the station. I think the sooner that radio is 100% for the maintenance of only a card rate basis of doing business, just that much sooner will the wildcatters be chased out and legitimate concerns brought in. I do not mean by this that all of those who wish time on a commission basis are wildcatters, but a great many of them are and it is hard to distinguish between them.

I had a number of offers recently from concerns which wished to place an account on our station with the understanding that if we take the account they would give it to us exclusively and would give us a percent of the sales of the product in the given territory for a given period of time. Of course, this is just a new angle to the contingent business, but I always treat it just like any of the rest of them. First, we do not accept such business and second, if we did, how would we ever be able to check on how much of the product is sold in the territory. As I see it, we would be absolutely at the mercy of the advertiser at all times. Possibly some of you gentlemen have had the same experience and I would like to know how you handled it.

What types of accounts are not acceptable? Securities? Proprietary Medicines? Promotional Schemes? I think we can well afford to group these into one and discuss them as a whole. My thought in the sale of this type of business is that each sale should be considered on its own merits. There are proprietary medicines which will meet with the standard of ethics of most broadcasting stations and there are some promotional schemes which are purely legitimate. I think the danger in this type of business lies in a lack of careful selection of what to take and what not to take.

I think one of the most important things which all radio stations have to face today is that of representation. During the past few years since radio went commercial we have been establishing precedents—getting organized to do real things and as a result certain definite plans of operation have been forming themselves. I think the time has come when radio should go on record as to how it wishes to deal with agencies and advertisers.

During this period radio stations have been more or less at the mercy of almost anyone who wished to take advantage of the situation. Someone writes us a letter or comes in to see us to tell us that they control certain accounts and if we will pay them the second 15% we can have the business.

In most instances, I think, the claim is without grounds. The person does not control it, does nothing toward selling it and if we did not deal with him we would get the business anyway provided the advertiser wanted it to come into our territory.

Understand, I do not mean by this the better class of so-called brokers or representatives. I think there is no question but that concerns like Scott Howe Bowen have done some most excellent pioneering in the sale of radio time and deserve a world of credit for having done, in many instances, a good job.

It seems to me that radio is a coming medium and that a very definite method of handling representation should be established, one which would meet with the approval of the agencies and one which would reflect credit on broadcasting stations and broadcasting.

Newspapers and magazines, having been established for many years, have worked the thing out in a manner which seems to be very satisfactory. It may be that a method of representation for radio will require something different. I am inclined to think, however, that radio sales can be handled in very much the same way, but the big idea which I would like to have discussed at this time is, "Are we ready to make definite steps toward stabilizing representation?"

I stated a few moments ago that in my opinion the matter of representation might be handled very much in the manner of newspapers representatives, that is with exclusive representatives.

During the past few years we have seen a host of so-called brokers come and go. Only a very small number of them have been able to survive and those few have, I believe, survived largely because no better plan of operation offered itself. I said a few moments ago that something should be done about it for the good of radio. I remember at the Cleveland Convention we had a talk by Mr. John Benson, President of A. A. A. A. in which Mr. Benson definitely went to bat for an exclusive representation idea.

As a result of that talk there was formed a group of stations, which on a cooperative basis, employed a representative to sell time for them. This was not a success. It's failure was not due to the representative because he was a most excellent man. This failure, however, was due, I think, to the fact that the stations themselves could not find a common basis for cooperation. This was a noble experiment, which in failing, set back the representation idea as outlined by Mr. Benson to a certain degree.

I do believe that Mr. Benson's idea is perfectly right and that when radio can have several organizations, each representing a group of stations on an exclusive basis, then and then only, will radio sales be handled as they should.

Personally, I never was or ever would be satisfied, either on a large station or a small station, in sitting back and waiting for some broker to throw an order in my lap. I want a man representing me who is going out and sell my station against the other fellow's station and the more the competition the greater the victory.

It is obviously impossible for one broker to represent a half dozen stations in Chicago, because in ninety-nine cases out of a hundred the advertiser will only want to buy one of them and the broker cannot do the other five justice. I think this very fact has brought a great deal of doubt to the minds of advertising agents and advertisers, and I believe, that the sooner we correct this situation and encourage the organization of representatives who will sell a selected group of stations on an exclusive basis that the sale of radio will go forward in a big way.

Then we have the representative who represents the station on an exclusive basis, but does so for a certain fee per month and continues to accept business through brokers. I think this adds too much of a load on the station, for in addition to paying the second 15% the station must also pay the fee asked by the representative. This type of representative does not cooperate fully with the broker because if he can he will get the order direct, if not, however, he will take it through the broker. If he succeeds in getting it direct, then he has done a service for the station, if he does not and the order is routed through the broker, he has only half done his job. This type of representative should be either for the broker 100% or he should be against him 100%. The latest development in representation is one which I at least am watching with especial interest, that is, a representative organization functioning on virtually the same basis as the newspaper or magazine representative. I have watched the reaction in the agencies very closely and in nearly every instance I find that this organization is being welcomed as offering something new and different.

I think that the time is at hand when broadcasting stations will be forced to take a stand one way or another on representation. I think we need something very badly in order to stabilize the sale of radio time. I know that it takes more or less nerve for a broadcasting station to step out against the established order and declare himself in favor of something new, but if the new idea is better and better for the business, I think we should do it.

There is still another type of representation, which I did not mention while ago and that is the recording company, which makes as a part of its recording agreement, a ruling that the placing of the transcriptions on the station shall be controlled by itself.

With this type of organization undoubtedly the time purchasing consideration is offered as an excuse for making a lower price on the records than would otherwise be possible. Is there any reason in the world why a radio station should be asked to help pay the advertiser's recording bill. That is exactly what it amounts to and I am of the opinion that this meeting should go on record as being decidedly against any such operation. It in no way compares with buying time on the network because the network organization is set up and is exclusive. Naturally when an advertiser buys the network he expects to get certain stations, but in the case of the recording broker who endeavors to control the placing of the time, I think we should have no patience. In most instances, particularly on business coming from the larger agencies, the list is all made up and handed to the broker and all he has to do is to issue orders and collect his second 15%, which in all probability reduces the talent bill of the advertiser.

Here is something which in my opinion all of us must watch. If we are going to pay a representative a fee of any kind, be it a straight so much per month or a commission, I think we have a perfect right to expect that that representative is going to earn his commission and if we catch him returning part of that commission to the agency, I think he should be eliminated.

I do not know of any definite instance where this has been done but I have heard and I know that you gentlemen have all heard of many instances where it has been done.

The cutting back of commissions to agencies is only another way of cutting rates, only that in all probability, the advertiser never hears of the cut back and the agency man sticks it in his pocket. In my opinion this is graft—pure and simple—and I think we should dispense with any representative who will stoop so low as to take the advantage of his competitor or will do the station, which he claims to represent, such an injustice.

During the sales discussion up to this point we have, I think, dealt with problems which affect both large and small stations. I do not think it is at all out of line to discuss somewhat the problems which confront large and small stations as regards the sale of time, but which do not lie along the same path.

Two stations, one large and one small, in the City of Cleveland will probably have somewhat the same sales problems, but two stations in the city the size of Des Moines, I think, have some very different problems confronting them and it is this, which I think we might profitably spend a few moments on right now. In Des Moines we have a station of 50,000 watts, WHO and another station of 100 watts, KSO. In Nashville we have one of 50,000 watts operated on a cleared channel and one of 5,000 watts operating on a regional channel. This does, it seems to me, present two very different sales problems. The local retail advertiser with a very limited trade territory, in all probability, cannot afford to buy the superpower cleared channel station at its card rate. If he could afford to buy it he would have so much wasto coverage that he would probably feel that the rate was far too high. On the other hand, the national advertiser who has distribution over a large area can use all the coverage he can get and needs far more coverage than the small station can deliver.

Why would it not be the ideal situation for the small station to concentrate on local business and the large station leave it alone? In return for this, why shouldu't the small station stay away from the national field—go after local business tooth and toenail.

In Nashville we make no attempt whatever to sell local retail accounts. There are twelve or fifteen concerns with distribution over the South and in two instances with national distribution and we are concentrating our entire sales efforts on those concerns as far as Nashville is concerned.

I stated earlier this afternoon that we have only one rate and that rate applies to everyone. Certainly the concern with distribution in the South or over the nation is no more entitled to a lower rate than if he was located in New York instead of Nashville. That is the basis on which we operate.

There is so great a difference in our rate and the rate of the other station that we could not go after retail business with any degree of success because in most instances the other station can do a mighty good job for the retail advertiser and, we believe the business belongs to him.

By the same token we can do a much better job for a national advertiser and quite naturally we are looking forward to receiving the bulk of the national business for our own station.

In this sense we do not feel that we are in competition with the small station and I do not believe that there should be any place along the line at which WHO and KSO should be competitors.

Now if you take Cleveland as an example. The purchase of any Cleveland station, be it John Patt's or TAM or WHK, is undoubtedly made for the primary market and it is perfectly legitimate for any of the stations to go after the business because any one of them can take care of it, no doubt.

There is no opportunity for the large station to have a rate which will compare with the smaller station in the smaller cities because the 50,000 watt station must maintain at all times a high class program using real live talent and paying good money for it. The difference in the cost of tubes is enormous. In fact, everything that goes into the operation of the 50 Kw. job means a higher rate. So there is no way in which two stations can meet on a price basis. This is all right, however, because as I said before the difference in coverage more than offsets the difference in rate.

MR. FOX: I am going to bring this to a close with one specification. I think it would be very ungentlemauly on my part and very unkind on Mr. Carpenter's part if we didn't ask for a word from a very good personal friend of mine who is with us today, and possibly he has something he wants to say. I am going to ask Norman Craig, of Scott Howe Bowen, to speak to us. (Applause)

MR. NORMAN CRAIG: We have had lately some new ideas on this question of representation. It seems to us that it is fundamental and absolutely necessary for the stations themselves to determine as strictly as they can just what kind or type, if you please, of representation they want.

Our experience in the sale of spot broadcasting is simple. In starting four or five years ago, we found that the way radio advertising was being sold—and at that time, in New York at least, it was practically all network—was by the development of program ideas, plans, methods to make use of the time being bought. The networks have a big spread between the amount of money they take in from advertisers and the amount of money that they pay the station, which is ample to finance the necessary operations in connection with developing plans and ideas, and so on.

We are told that Columbia and N. B. C. average 27 auditions given to different prospects to make one sale. That costs them a lot in time and money.

We don't know, speaking for ourselves, any other way to promote and develop, increase the sale of spot broadcasting other than to do it in just that same way. In other words, it is necessary to provide—it is suggested a national advertiser can get more per dollar than he has to out of spot broadcasting than on network, but in addition to telling him that, you have got to tell him how to use it, make the suggestion, and in nearly every case bring a program to him. Doing that costs money.

Thero was a report in *Broadcasting* a couple or threo weeks ago, June 1, I guess, of ten agencies in the country placing the largest volume of network advertising. With the exception of two or three on that list, they were very prominent large agencies and they placed the first four months of this year something over $5,000,000 worth of network time. If you gentlemen saw that list and checked back on it as to how much spot business you got from those agencies, you found that with two exceptions, it was practically nothing. Somebody must promote spot broadcasting, make more spot broadcasting, make more accounts in order to have its proper development, not the type of representation that consists of going to an agency and an advertiser, saying, "We understand you are going to have a spot campaign. Now be sure and buy of our station. It is a good station. The other station is rotten," or "the other two or three are rotten," whatever it may be. That doesn't create anything new.

It is like a bunch of dogs quarreling and fighting over a bone that now exists and is laying there before them. It doesn't create any new bones. If you want new bones created, if you want more spot campaigns, it is a matter of cultivation. The average account we sell takes anywhere from four to six months of cultivation work, building up work before it comes down to a question of placing any station time.

If it were the will of the station owners and operators that the representation of stations be identical with the representation of newspapers by several groups of representatives, each representing exclusively a few stations, the compensation that these representatives will receive, even though it includes all of the business placed, whether placed by their own creative efforts or otherwise, doesn't give them enough income to warwant their doing this upbuilding work, creative work, if you please, that makes for new spot broadcasting accounts.

In that event, if you adopted such an idea of exclusive representation of a number of groups, none of them could afford to do this constructive work. If no one does it, if it is left entirely to the advertising agencies, your spot broadcasting is going to go hang.

There isn't any interest being shown on the part of the larger four-A agencies in spot broadcasting. I could tell you of one in particular, I could make it two very large agencies in New York that resent very much having a representative go directly to their clients and talk spot broadcasting. And yet one of those agencies is doing a fairly good volume of spot broadcasting today, simply because some representative went to some of their accounts and sold them the idea against the opposition of that particular agency.

If it costs an agency considerably more money to handle a spot account than it does a network account, I don't think that is the only governing factor. It is very simple and easy for them to deal with one representative, if you please, and place their schedules on from ten to one hundred stations, or seventy-five, get one bill for it, check it and pay it, rather than to deal with a lot of indifferent individuals, get a lot of bills in, pay a lot of different checks, check them up and watch them, and all that sort of thing.

There is the element of their copy, and in a spot campaign the flexibility enables an advertiser, if he has a line of products, to talk commercially about one particular product in Dallas, another one in St. Paul, another one in Kansas City, but that takes a lot of work and time on the part of the advertising agency in making up separate copy, particularly if it is a daily script, or five times a week. It means quite a job. Yet it is being done and being done successfully and it is to the advertiser's interest.

I started to say a while ago that our effort is to try to prove to the spot broadcasters that they can get more money per hour out of the spot effort than out of a network campaign, and if you can't prove that, there is not going to be any spot broadcasting developed. As a matter of fact, both of the networks are extremely active today in soliciting those accounts that are now on the air spot and trying to bring them over to network, and in the case of new prospects, keeping them away from spot. They are the big competition that spot broadcasting has to meet today.

Up to a few months ago, I will say about last summer this time, through a gradual increase in individual station rates, the spread between the cost of using a network schedule and a spot schedule, if it included basic territory, where the differential of rates is greater than elsewhere, had gotten up to about 25 per cent. In other words, we had to sell a man that he had to pay spot stations 25 per cent more than he paid the network for those same stations, and that isn't an easy argument or hasn't been an easy argument in depression times. Nevertheless, we have made progress.

Since February we have developed—we didn't start then but it might have started in the latter part of last year—five new spot broadcasting plans, some of them, two or three of them on tests of two or three stations. But if those tests are successful, it will lead to a considerable volume of business. Yet if we hadn't done creative work for those clients, building up work, we wouldn't have gotten them on spot broadcasting. Their agencies wouldn't have done it, with one or two exceptions where the agency does cooperate. We find this, the moderate sized agency that can't afford to operate a special radio department consisting of anywhere from ten to twenty people, as some of the very large ones do, the moderate sized agency and the small agency welcome the kind of service we and one or two others offer. We act in effect as their radio department, counsel with them and help them and go over their plans with them and slowly but surely we get somewhere.

The thing it seems to us is important for you to decide at the present time is whether you want to do a constructive job of building spot broadcasting for the benefit of the whole field of all stations, or do you want to scramble for the going business and let the effort to build up flop. That is about the net of it. (Applause)

MR. FOX: Mr. Craig has given me a very good suggestion which I think I would like to discuss, and that is the advisability of forming within the National Association of Broadcasters an organization similar to one which newspapers have. I forget what it is called, but the object of the group is to promote the sale of newspaper advertising in the case of newspapers. Why wouldn't it be a fine thing for the National Association of Broadcasters to have a division, the object of which would be to promote radio advertising or advertising by radio?

CHAIRMAN CARPENTER: Mr. Fox, see if this would be getting at that very problem, see what you think of this. Here is a resolution by Mr. Travers.

RESOLVED, That a committee of five be appointed by the Chairman of the Commercial Section to study station relations with advertising agencies and special representatives and report with definite recommendations to the annual convention of the Association in October.

We have no particular group working on that specific problem.

MR. FOX: I think it is something which should be done. I don't think the sales job of selling the idea of advertising by radio lies with any group outside of the N. A. B., nor do I think that this organization as an organization can promote the sale of anything except advertising by radio. What is meant is this: We have a number of stations who are owned by the networks, the networks themselves are members of the N. A. B., but I think if we do promote the sale of advertising by radio, we have done something.

Now as to spot or network, that is purely a sales problem that my representative has, and when it comes down to the final getting of the order for my station, it certainly is a job that my representative has.

CHAIRMAN CARPENTER: On this particular resolution by Mr. Travers, is there a second?

The resolution was seconded by Mr. Martin Campbell.

MR. HARLOW: The only suggestion I have is five is a little bit unwieldy number. I think you can accomplish the same purpose with three much quicker.

CHAIRMAN CARPENTER: Is three satisfactory?

MR. TRAVERS: Yes, that is satisfactory.

CHAIRMAN CARPENTER: Is it satisfactory to the seconder?

MR. CAMPBELL: Yes.

CHAIRMAN CARPENTER: We will change it to three. Are there any other comments?

MR. PATT: Mr. Chairman, I don't want to get myself out on the limb nor throw this meeting into any turmoil or anything of that sort. I merely want to express dispassionately a feeling that has cropped up in one or two of the reports we have heard read today. I think Arthur Church referred to it as the rather unsatisfactory relationship between stations and networks.

It seems to me that the National Association of Broadcasters constantly have two elements, one which is fostered by the national coast-to-coast networks and the other, spot broadcasting. In most cases, in a great many cases, our stations have an interest in the development of both. Those of us who depend upon spot broadcasting for our income have a real interest in development of network broadcasting because we realize that we offer fine network programs which Columbia and the National Broadcasting Company have given us, and we wouldn't find it possible to sell our facilities to as many clients or for as much money without them. I don't know what the answer is, but I do know that there is a great tendency on the part of advertising agencies to express extreme dissatisfaction over the relationship as it exists between either of the networks and any one or all of the affiliated stations, that dissatisfaction arising in one case from the placing by that agency of a network account where a local account blocks the way or in another case of the agency wanting clear time from 7:30 to 7:45 across the board or some other equally desirable hour and finding that the network has been able to sell its time at eight o'clock on Monday night and at 7:45 on Tuesday night and 7:30 on Wednesday and 9:15 on Thursday and 10:00 to 11:00 on Friday, thus making it practically impossible for a good spot advertiser to find the desirable time that he wants.

Mr. Craig briefly alluded to the problems his organization is up against and similar organizations, and have been for a number of years, in the fact that they have a 25 per cent penalty which they must assess on the same national advertiser for the use of individual station facilities as opposed to network broadcasts. I don't know how the networks can be brought into line, you might say, in making their rates jibe with the local station rates. Perhaps that isn't possible, but I would like to see a committee appointed which would very seriously go into this matter, and that committee to consist of a representative of each of the two networks and two stations affiliated with the two networks and perhaps one or two organizations in the business of selling spot broadcasting.

I know I have heard in a good many circles outside of the borders at all conventions about this, and the thing has been coming up for three or four years. But every year we talk about it in secret sessions and never get anywhere with it. Something must be done and the sooner we do it, just that much quicker are we simplifying the business of broadcasting and getting more business, not only for spot broadcasting but for the networks, too.

I am going to suggest that such a committee be appointed.

CHAIRMAN CARPENTER: I believe that particular thing must be considered by this committee under this resolution here. I don't see how they can get away from it. It is all bound up together.

MR. PATT: Then I suggest the two networks have a voice in the committee, that is, representatives of the two networks and the committee be made a committee of five.

MR. TRAVERS: Mr. Chairman, I think that you are probably a little out on that limb, John, as you suggested. I look upon the networks as being something with which we are all associated with definite contracts. We carry out those contracts when we deliver our facilities to their national account. There is plenty of untouched radio business. Both networks have sales organizations and promotion divisions that can spend more money than perhaps our volume or our net as individual stations.

The idea behind this committee is for us to try to blend the advertising agency, the station representative and the individual station, and at no time, if you have ever been in an advertising agency making a solicitation and you were competing with a network representative, do they ever worry about you as an individual. I think we had better leave them on Fifth Avenue and Madison Avenue. I think it is the best way to handle the thing.

CHAIRMAN CARPENTER: Are you ready for the question as it stands now?

MR. PATT: Mr. Chairman, I would like to hear one or two other people express their views on that subject. I would like to hear what Mr. Church has to say and what Mr. Harry Howlett has to say.

CHAIRMAN CARPENTER: Arthur, do you care to say anything?

MR. CHURCH: Sooner or later we are going to have to meet this network problem. I am pertinently reminded of that fact when I look at my estimate of the income for the month of July and when I review my income for the past months and when I think about things that are going to happen next winter. How am I going to hold my beautiful spot accounts when the stations start selling time again?

On the other hand, I think that the resolution proposed by Mr. Travers is perhaps slightly separate from this problem that John brings up. It seems to me that we should vote on the resolution, we should pass it and that the problem of network broadcasting is something we should get into as a separate matter. It is not immediately involved with the question of station representation on an exclusive or semi-exclusive or brokerage basis.

MR. HOWLETT: I am heartily in favor of what Mr. Church has stated. (Laughter)

CHAIRMAN CARPENTER: Thank you. Go on, Harry, what else have you to say?

MR. HOWLETT: I am also in favor of what John Patt has stated. It is true that we know that sooner or later there must be a different arrangement between chain affiliates and the chain itself. It has been discussed for many moons in corners and corridors, as John states, as to what might be the possible solution. Arthur states that he is in a quandary already as to what will happen to his beautiful local business when the chain begins to sell its fall schedule. We are in the same quandary. Personally, I would like to see a committee at work on it and personally I would enjoy reading their deliberations. Outside of that, I don't have anything to say.

CHAIRMAN CARPENTER: Are you ready for the question on this resolution as it stands?

* * * The motion was put to a vote and carried * * *

MR. FOX: Getting back to this proposition of John Patt's now, looking at it from the standpoint of the National Association of Broadcasters, while I hold no brief whatever for the networks, as long as they are members of the National Association, certainly we can't go ahead with something that is going to put them in any sort of a difficulty. We should give them representation by all means.

CHAIRMAN CARPENTER: The position of the National Association of Broadcasters has been up to this point that any relationships between individual stations and networks is a matter that they will have to work out; that the Association, on account of the way it is constructed and the fact that the national chains are members just as much as we are, finds this is something it cannot get into.

MR. PATT: Mr. Carpenter, I want to make it emphatic that I haven't a thing against the networks. They have made two stations that we operate very desirable from an advertising medium standpoint, and we are perhaps a little more fortunate as to position than some of the stations, in that we have always had no written contract and we have always had the right of rejection of any program, commercial or sustaining. Nevertheless, in the rate discrepancy and the fact that all eighteen hours of the day are available for network commercial programs, and in many cases to the exclusion of anything that is on locally or from a spot campaign, I think there is plenty of food for a committee to work out some form of recommendation or make a study of some kind and submit it to the organization as a whole, and I am firmly of the opinion that networks are entitled to ample representation in deliberations of that committee, just as much so as the individual stations.

MR. TRAVERS: Mr. Chairman, I am down John's alley on that idea, but how about this: Some of us own more than one station, we will say. It is up to us to go into New York and make a favorable contract with the networks. I don't think that that has anything to do with the National Association. If Mr. X goes into the New York office and makes a contract whereby we don't have to worry about the delivery time of the network and the individual himself can present a proposition to the networks that is attractive enough to them to allow that kind of a contract, I think if we go into a committee and break this thing open, it is going to spoil it for the individual owner of the station who makes a favorable contract.

CHAIRMAN CARPENTER: I would like to hear Phil's reaction on that.

MANAGING DIRECTOR LOUCKS: To this particular problem? As you all know, the National Association of Broadcasters is composed of members who have network affiliations and members who have no network affiliations. It is composed of members who are on the Columbia Broadcasting System and on the National Broadcasting Company's system. It is composed of members who are on the National Broadcasting Company's system who are satisfied and those who are not satisfied, and the same thing is true with respect to Columbia.

I have no particular brief for the networks, but I have always regarded it as an issue between the ownership of the network and the stations affiliated with that particular network.

I have always felt the way to approach this problem would be for the affiliated stations of the Columbia Broadcasting System to take it up with the Columbia Broadcasting Company and for the affiliates of the National Broadcasting Company to take it up with the National Broadcasting Company. After all, what has the general membership of this Association to do with a contractural relationship between a national broadcasting company and its affiliate stations? That has been my position all along.

CHAIRMAN CARPENTER: Arthur says he has a few more words—with accent on the few.

MR. CHURCH: I agree with Phil. We must also remember that at the present time the only common meeting ground we as broadcasters have is at these meetings of the National Association of Broadcasters. It occurred to me as Phil was speaking that it might be well to incorporate in our program at the annual convention a time for sessions to be attended by the various network members in their various classifications.

MANAGING DIRECTOR LOUCKS: I think that is worthy of consideration.

Mr. PATT: Do I understand from that, one afternoon session, and perhaps longer, may be given over to separate meetings, side by side in different meeting places, to the National Broadcasting Company and its affiliated stations?

MANAGING DIRECTOR LOUCKS: Yes.

MR. PATT: I make a motion a committee be appointed to arrange the details of the meetings.

CHAIRMAN CARPENTER: The motion is a committee be appointed to arrange details between the affiliates and their associates at our convention in October.

* * * The motion was seconded by Mr. Howlett * * *

MR. PHILLIPS: I am wondering if we aren't considering something that is brought about to a great extent by this little boom we are in right now. If this competitive situation is apt to exist, assuming conditions do right themselves, with the network selling, it does bring a very distasteful situation sometimes, but I believe we are going to eliminate a lot of it if conditions correct themselves and it is going to eliminate a lot of unjust competition.

CHAIRMAN CARPENTER: The things these boys are talking about have been hashed over for the last couple of years and go much deeper than that, much deeper. There is a group of stations in the South that are working on that right now. They had a very simple, loose organization, entirely outside of the National Association of Broadcasters, had a common interest in being connected with one chain, and they are getting together on their own hook, trying to work it out.

* * * The motion was put to a vote and carried * * *

CHAIRMAN CARPENTER: The next topic for discussion, and the last, is "Importance of Business Statistics," by Herman S. Hettinger, University of Pennsylvania.

MR. HETTINGER: First of all, I do want to say this: Let us all understand what we mean by statistics, because I want to treat them in a broad light. I would rather call it the importance of business facts. As far as the general question of business facts is concerned, we are up against this very definitely. We have seen it in the discussion all day. Somewhere within the industry there must be a clearing house for these facts and for these problems; there must be some sort of, if you want to use the term, a permanent secretariat to take care of bringing all this together, helping the dozen-odd committees that were appointed today and tying the whole thing up.

There are in addition to the general question of a clearing house of commercial and trade data and promotional data, some rather definite problems of business statistics and business facts which have to be approached immediately, over and above the things that have been discussed so far. So what I want to do for the next few minutes is to take that one particular segment of the whole problem, remembering it is only part of the problem, and to discuss it. I want to start by briefly asking two questions and outlining the situation as we can figure it out today in advertising.

IMPORTANCE OF BUSINESS STATISTICS

By HERMAN S. HETTINGER

What can the N.A.B. do to improve the economic position of its member stations and of the industry as a whole? This, in turn, involves two major questions: (1) What can the N.A.B. do to assist stations in more effectively selling radio broadcasting as an advertising medium? (2) What can the N.A.B. do to improve the business operating efficiency of its membership?

The best way to begin a discussion of the problem at hand is to review the economic situation facing the radio broadcasting industry at the present time. Here several factors stand forth clearly:

> 1. Radio broadcasting has emerged from its first period of rapid growth, and has taken its place as an established advertising medium.

The rate of growth of broadcast advertising, as reflected by expenditures for time over national networks—this is the only index which we have—has been decreasing annually. The 1930 growth over the previous year was 43%, the 1931 increase 34%, the 1932 rise in volume 9.3%. The first quarter of 1933 is 32.6% behind that of the previous year in volume of network business. The "novelty" days of radio broadcast advertising are definitely over.

> 2. Though it has become an established medium, radio broadcast advertising still has to achieve any measure of stability.

Radio broadcast advertising grew during a severe depression. Consequently industries, which, in less disturbed times could have profited from broadcast advertising, were prohibited from attempting the new medium. With the resumption of business these industries must be sought out and sold the value of broadcast advertising. Moreover, a number of industries have just recently discovered radio broadcasting. An example is found in the gasoline and oil industry, which increased its national network expenditures 100% over the first quarter of last year, and which is just awakening to the fact that broadcasting as a whole, and summer broadcasting with it, is a so-called "natural" when it comes to meeting their distributive problem. There are other industries which remain to be convinced that radio meets their needs to the extent to which it really does.

> 3. Because radio broadcasting is no longer merely a novelty, but an established advertising medium, it will meet, and already is meeting more severe competition from other advertising media than at any previous period.

The radio-newspaper controversy in recent months is a symptom of this competition. The prominence given in newspapers to news of companies discontinuing broadcasts, and similar features, also are examples to point.

> 4. It is highly improbable that the huge advertising expenditures of 1927-1929 will soon be repeated. This will further intensify the competition between advertising media. In this competition radio is the newest and least experienced of the major advertising media—for all its phenominal growth.

In 1932, national advertising volume had declined 37.4% from 1929, according to money expenditure estimates published by the A.N.P.A. Newspaper revenue from national advertisers declined 38%, magazines 44%, outdoor advertising 56% and car cards 59%. Radio increased 105% during the period, as far as national network expenditures were concerned. The annual national advertising volume in 1932 was estimated at $345,000,000 as compared to $553,000,000 in 1929.

There are numerous reasons for believing that advertising volume will come back slowly. The advertising volume of 1929 contained waste which the budgets of 1933 and 1934 cannot allow. The demand for lower distributive costs, the tendency to concentrate upon the most profitable markets in terms of these costs rather than to achieve widespread distribution, increased efficiency in the use and placement of advertising, and the tendency toward the curtailment of excessively competitive effort under the Industrial Recovery Bill, all will tend to act as a brake upon increases in advertising appropriations. It must also be remembered that consumer markets cannot expand greatly until the re-employment of workers and increased wages on the part of those who have faced severe cuts during the past several years rehabilitate mass purchasing power. This process will necessarily take some time. In the meantime, restricted markets will mean restricted advertising. Restricted advertising will mean, in turn, a fiercer battle between media for the advertiser's dollar.

The severity and nature of this competition can be gauged by a brief analysis of the position of the various media during the first quarter of the current year. Recently my attention was called to an AP story stating that during April newspaper advertising lineage had increased 25%, while radio broadcasting volume was 39% below April 1932. Later I noticed the same comment in the June 1933 Survey of Current Business, published by the Bureau of Foreign and Domestic Commerce. Both statements were correct in substance but misleading in connotation.

The actual situation is better for radio, in some elements, and worse in others. During the first quarter of 1933, newspaper lineage, as reflected in 52 cities, was 39% less than for the same period of 1932; magazine expenditures 29% lower than the previous year, and radio 32.6% lower than in 1932. The newspaper report had taken the figures most favorable to their media, and least so to radio.

But here is a legitimate cause of concern for national networks at least. During April, newspaper lineage in 52 cities increased 19% over March, while magazine expenditures rose 7%—as against an 18% decline in network revenue as compared with the previous month. The normal seasonal decline is 10% from March to April in radio.

In the principal industries which have supported broadcasting, this same severe competition is in evidence. Foods, drugs, toilet articles, and cigarettes in 1932 comprised approximately two-thirds of total national network revenue. During the first quarter 1933, network food expenditures declined 27% over the previous year, drugs and toilet goods the same, and cigarettes and tobacco 58%. Magazine expenditures of the food industry declined 5% during the same period as compared with 1932, drugs 18% and cigarettes 18%. No newspaper figures are available.

There is no doubt that radio broadcast advertising is heading for the most severe fight for business in its history. For this fight it must be prepared—with every weapon at its disposal. It must organize its forces as efficiently as possible, so that it may hold the ground already gained, and add new territory. Radio is being challenged to prove its economic vitality. In meeting this challenge the National Association of Broadcasters can be of inestimable assistance.

How can the N.A.B. help its member stations in promoting the interests of broadcasting as an advertising medium? Let's answer this with another question: On what basis will the new competition between advertising media take place? The answer is: On the basis of facts—facts regarding circulation; facts regarding the trends in the use of the medium and by whom it is being used; facts as to the success which companies have achieved by using the medium and as to the best way in which it can be employed; facts which will enable the medium itself to check its own progress and which will assist individual units of the medium to match their progress with that of the trade as a whole. The Blue Sky is going out of advertising. I have talked with many agencies and advertisers in recent months, and one thing above all has impressed me—the increasing interest which they are showing in facts—facts of all kinds regarding media, markets and advertising procedure.

The first thing which the N.A.B. can do, therefore, is to assist the industry in the collection and dissemination of the important facts regarding broadcast advertising. At the present time broadcasting is the least equipped to furnish the facts which either advertisers or the industry itself requires if it is to shape its policies intelligently.

There is not even a reliable figure available as to the total volume of broadcast advertising which takes place in this country! The most basic figure in the whole industry is missing—without which it is impossible to measure its success or failure or counteract misleading statements made by competing media. For instance, a statement by the A.N.P.A. indicates that in 1932 radio, as represented by national networks accounted for 11% of national advertising appropriations. This made no allowance for the $10-15,000,000 of national spot business (exclusive of local advertising) which must have taken place during the year, and which would have brought radio's share of the national advertising dollar to about 15%. The latter is better as a success story!

Radio broadcast advertising needs the following facts regarding trends within its industry:

1. As to the total volume of all broadcast advertising
2. As to the volume of national network, regional network, national spot and local business
3. As to the volume of national spot and local advertising respectively, comprised of electrical transcriptions, live talent, and spot announcements, and in the case of local programs—of records
4. As to the volume of broadcast advertising done by various industrial groups and as to the trend in this field.

These are the more fundamental trade statistics which should be available and which are not. Such figures would be of marked assistance in aiding the industry to forecast trends in volume and in the industries using radio advertising. They would be of value in promoting the industry, both in pointing out the degree to which it was being used—therefore inviting others to use it—and in counteracting unfavorable propaganda. They would be of assistance to individual stations in selling clients, in matching their performance with the general average and in similar ways. They would be *most* valuable in long term planning for the industry.

Such figures would merely constitute the beginning of a broadcasting statistical service. In both the newspaper and magazine field it is possible to secure detailed information which will enable one to determine the most minute trends as to how these media are being used, by whom, and even in the case of newspapers, to trace the progress of private brands in their territorial expansion. Radio must build facts equally comprehensive in scope; for even the newspapers and magazines will have to extend their statistical data in this new era of distribution.

The National Association of Broadcasters is the logical agency for the collection and dissemination of these facts. A plan already has been devised, complete in every detail, by which the necessary facts can be secured concerning the volume, nature of sponsor, manner of use and similar factors regarding broadcast advertising. The plan is the result of several months of careful research during which advertisers, statistical services, marketing experts, government officials and broadcasters were consulted. Similar activities of other trade associations were studied in detail, with a view of finding the best way to organize the broadcasting service. The plan is now ready for operation and requires only the active cooperation of broadcasting stations to make it a reality. Time does not permit the presentation of its details in the course of this paper.

A second thing which the National Association of Broadcasters can do to promote broadcast advertising is to act as a clearing house for all information regarding the medium and its use. There is a great need for the collection and dissemination of the various facts which have already been discovered concerning broadcast advertising and which have not received general circulation among the industry. A good deal of sound research and good promotional material at present is going to waste for this reason. Data regarding listener habits, successful types of programs for particular classes of sponsors or uses, special merchandising plans and similar features are cases to point.

Eventually the N.A.B. commercial section should become the central research agency of the industry. This would not necessarily supplant the work being done by networks and stations. It would merely re-divide the field, with the N.A.B. doing the non-competitive, institutional research; an activity which it could perform more efficiently and cheaply than could any other body. This is not recommended for present action since the expense involved is too great to contemplate at this time.

The department which should be set up to collect the trade statistics, however, can immediately fulfill several important functions in addition to its primary one:

1. It can perform the function of a research clearing house suggested previously in this talk.
2. It can begin the work of fundamental research.
3. It can act as an information and consultation bureau for stations faced with commercial and advertising problems (of a non-competitive nature).
4. It can prepare an annual yearbook on broadcasting, similar to that issued by many trade associations, and which in broadcasting would be similar to that issued by foreign governments. This would have an important role in the public relations activity of the industry.

Activities of this type would be logical outgrowths of the function of collecting trade information and would be of marked assistance to the industry as a whole.

In the course of my talk I have referred primarily to advertising and promotional problems and the ways to meet them. I have done so because I am an expert in distribution primarily. There is one other great basic problem which I wish to mention in closing—the problem of standard accounting. This is equal in importance to the collection of adequate trade information and the conducting of fundamental research. In a way it is even more important. Radio is new. Management and engineering standards are just being evolved. Costs are still nebulous. Actual knowledge of profits is vague.

One of the most fundamental pre-requisites of sound management, of sound rates and of intelligent policy, is accurate knowledge of costs on the part of individual stations, and the existence of a knowledge of general costs of the industry with which individual efficiency can be compared. I cannot recommend too strongly that your association give further study of this problem of standard accounting on the basis of the excellent work already done by your former president Mr. Damm. No more important step toward industrial stability the death of rate-cutting, and the beginning of sound business practice can be taken than this.

MR. HETTINGER: In conclusion I have one word, and that is this: If you are going to get together trade statistics, it is going to mean a little bit of work for everybody but if everybody doesn't do the work, you are going to fall down flat from the start. Unless you have a representative group of stations giving you basic information that you can put together, you are not going to get anywhere and you are not going to have anything. So the thing very definitely depends upon station cooperation. Also don't forget that we are in the "new deal" and that probably if we don't set up this machinery, we may be asked to do so. If we anticipate it, if we get it worked out, we will be helping ourselves in a way that we need most seriously, and, we may be forestalling future trouble. The latter is merely a guess on my part. (Applause)

CHAIRMAN CARPENTER: I think probably to bring this to a close. I have three resolutions I should like to read.

Please understand before I read these resolutions that these are merely resolutions which will be passed on and must be acted upon by the Association as a whole at the meeting in the fall. Some of them recommend appointment of committees and some of them are complete in themselves.

Here is the first presented by Martin Campbell:

Whereas, There is an insistent demand on the part of advertisers and advertising agencies for uniform station data; and,

Whereas, Many methods of measuring station coverage and program prestige have been advanced with resultant confusion; be it, therefore,

RESOLVED, That the Commercial Section of the National Association of Broadcasters is of the opinion that a survey of potential coverage is basic and preliminary to any further surveys or measurements, and recommends that steps be taken to set up a radio audit bureau to standardize practices of measurement.

Mr. Campbell is introducing that. Is there a second to that?

* * * The motion was seconded by Mr. Fetzer * * *

CHAIRMAN CARPENTER: What does it mean, Martin?

MR. CAMPBELL: The resolution simply means that a starting point toward setting up standard methods of measurement of stations be made. It is necessary, I think, because every station, as I said this morning, in answer to the requests of agencies has tried in every way to get information; at least 90 per cent of that finds its way into the wastebasket as useless. We have to start somewhere.

The four A's have asked for a bureau, not only covering primary coverage and secondary coverage, station potentiality, but a number of other things, program popularity and things of that sort. Obviously at this time it would be entirely out of the question to go to that extent. In fact, I am not at all sure we would ever want to go that far. But we do have to make a start. It seems to me generally agreed that the field intensity survey is a starting point and that resolution suggests that a move be made.

In that connection I might add I am not at all interested in any individual plans or anything of the sort. Dr. Jansky, as you know, has been doing an excellent job. There are others who are undertaking the same thing. I should certainly want engineers, perhaps from our own stations or others, to investigate those methods and see if they are the right sort. That resolution, therefore, is only the start toward getting a satisfactory system set up.

CHAIRMAN CARPENTER: I might say in this latter part, "steps be taken to set up a radio audit bureau to standardize practices of measurement," any steps taken would be the appointment of a committee, the same as in these other problems, to make a much more detailed report at the convention in October.

MANAGING DIRECTOR LOUCKS: As I gather from the text of your motion, Martin, you have taken substantially what the four A's have adopted, eliminating the second part of one of their paragraphs, that part relating to all kinds of research, and so on.

MR. CAMPBELL: That is correct.

MANAGING DIRECTOR LOUCKS: In other words, your resolution would enable some committee from the N. A. B. to sit down and meet with them and talk about it.

MR. CAMPBELL: Yes.

* * * The motion to adopt the resolution was put to a vote and carried * * *

CHAIRMAN CARPENTER: I wonder if you will have much discussion about this one:

Whereas, The practice of accepting business on the per inquiry or commission basis has been widespread among stations with a resultant increase in such offers; and,

Whereas, Such practice is inimical to the best interests of broadcasting and unfair to legitimate advertisers paying card rates; be it, therefore,

RESOLVED, That the Commercial Section of the National Association of Broadcasters again recommends to stations that the practice be discontinued and business accepted only at card rates.

Is there a second to that?

* * * The motion was seconded variously * * *

CHAIRMAN CARPENTER: Now we are ready for discussion.

MR. CAMPBELL: That didn't exactly come under my talk today but it was suggested I bring it up. I could have written all sorts of things, put teeth in it, but I am sorry to have to say that I don't believe it will mean a thing. I doubt if a number of the stations will pay any attention to it at this time particularly. Of course, as far as we are concerned at WFAA, that has been our practice right along. I don't think enough stations, particularly those where the business is sufficient to warrant or justify the station, have the guts to go through with it.

MR. HARLOW: I think there aren't any teeth in it. I don't think it amounts to anything.

MR. PATT: I think there should be some teeth in there.

CHAIRMAN CARPENTER: All right, offer an amendment.

MR. GILLIN: What happened a few years ago when it was found newspapers were cutting their rates? What happened to the individual newspapers?

CHAIRMAN CARPENTER: Will somebody answer that question? I can't.

MR. STRAUSS: They are still cutting their rates.

MR. GILLIN: The only reason I say that is because if we can't go ahead and put teeth in the resolution, what good is it going to do? In other words, if there is no way we can stop it, what is the use of the resolution?

MANAGING DIRECTOR LOUCKS: I will suggest some teeth for this resolution in the form of about three words—"against public interest." Whereas, such practices are against "the public interest, convenience and necessity."

CHAIRMAN CARPENTER: Here is the way it reads now:

"Whereas, The practice of accepting business on the per inquiry or commission basis has been widespread among stations and is against public interest, convenience and necessity; and,

"Whereas, Such practice is inimical to the best interests," and so on.

Is that change all right with the seconder? All right, do you feel that puts some teeth in it?

MANAGING DIRECTOR LOUCKS: That declares it to be in violation of your operating license.

* * * The motion was put to a vote and carried * * *

CHAIRMAN CARPENTER: One more by Harry Howlett:

"In view of the evident lack of standards upon which radio stations might properly base their merchandising operations, the accompanying suggestions are presented as a practical basis upon which action can safely be taken."

Then he merely attaches this questionnaire which he read this morning. (See page 109.) The passage of that would merely indicate that is a measuring stick to go by as far as merchandising is concerned. It enumerates the different things and will give stations faced with this problem of what are other people doing, a measuring stick to shoot at.

* * * The motion was seconded by Mr. Campbell * * *

CHAIRMAN CARPENTER: Is there any discussion?

MR. FOX: Mr. Chairman, I am not inclined to agree entirely with Mr. Howlett on this thing. I think this is more or less of a local situation. In Nashville, the newspapers do put in window displays, they do get out letters, they do do certain forms of merchandising which we as competitors of theirs are oftentimes forced to do. I don't believe that a situation which prevails in Cleveland could be said to prevail somewhere else.

CHAIRMAN CARPENTER: I think you are perfectly right, but you probably misunderstand the intent of this. The intent is to give information to certain stations that do not have information on what we should do. It does not bind anybody to go exactly according to that.

MR. FOX: When it comes to telling me what I may or may not do, that is my business.

CHAIRMAN CARPENTER: Exactly and that does not tell you that. That gives you a consensus of opinion as to what seems to be the general practice. In my particular station, I may change that; you may, but it gives some stations who have no other means of getting information along this line information as to just what stations in general are doing and how far they are going. This is a pretty good average. Some may go farther and some less. If we pass this resolution, it means there is a pretty good average to be used as a measuring stick by various stations if they care to. It does not bind any member station to do just this and do all of this and not do some of the things that they are doing. With that understanding, are you ready for a vote on this?

* * * The motion was put to a vote and carried * * *

CHAIRMAN CARPENTER: Phil, wind it up.

MANAGING DIRECTOR LOUCKS: I think I ought to mention three things. I am going to do it briefly and then you may shoot questions, if you desire, until I decide I have to pack and catch the train.

As you know, in the last session of Congress there was passed an Act, and the Federal Trade Commission is now in process of promulgating rules and regulations to carry out that Act. That Act, as you know, relates to the advertising of issues of stock and whatnot, with certain exemptions, and governs the advertising of stock issues by both radio and newspapers. Just as soon as the regulations are available, each member of the N. A. B. will receive a copy. I hope that it will be printed in suitable form, certainly in a handbook, along with the Act, which was sent out last week.

There is another matter, and I am going to touch on this because it is something that will have to receive detailed consideration before our annual meeting. That is the proposal to revise the Food and Drugs Act. There have been several conferences on the preliminary conferences with Mr. Tugwell, Assistant Secretary of Agriculture, on the subject. A bill has been drafted, has received the approval of the Department of Justice and has been introduced in both the Senate and the House. That bill is of the greatest importance to broadcasting because it will affect almost two-thirds of the products now being regularly advertised over our stations. The purpose of the bill, I think, we are all in accord with. The procedure that can be set up for its administration we might differ with.

As the bill is now written, radio stations and newspapers as advertising media are not primarily responsible criminally for false and misleading advertising, provided we furnish the name and address of the advertiser to the governmental body administering the Act. However, there are other portions of that bill which make it very important that our rights and liabilities under the measure be more definitely stated. It is a rather technical thing and would require several hours to explain it.

We are assured that hearings will be held when the regular session of Congress convenes in January.

The only other thing I am going to talk about, and I am going to talk about it very, very briefly, although it is a subject that we are all going to know a lot more about as time goes on, is the Industrial Recovery Act. I have been to several conferences, both with officials of the Johnson administration and with officials of the Federal Radio Commission.

The members of General Johnson's staff want to help business. They are sincere in wanting to help. They are approaching the whole thing in a constructive and businesslike way. All of you should follow very carefully every step that is taken under this Act especially as it relates to our own industry.

As I say, I am not in a position to even say at this time what will be recommended or whether any recommendation will be made. But it requires a great deal of thought and a great deal of study and we are apt to find ourselves without much precedent to guide us to a solution.

I don't care to say anything more about it, unless there are some specific questions.

CHAIRMAN CARPENTER: Are there any further questions? The time is getting late.

I would like to thank all those men who took part in this program today, both the men who prepared papers and the men who led in discussion. My personal opinion is, to me it has been very valuable. I hope it has been to you.

We have six or seven committees to be appointed and they will be appointed in the very near future to get together and work and report at the annual convention in the fall. I hope you can all be there.

The meeting is adjourned.

* * * The meeting adjourned at four forty-five o'clock * * *

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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PROCEEDINGS

SECOND ANNUAL MEETING

Engineering Section

NATIONAL ASSOCIATION OF BROADCASTERS

June 26, 1933, Chicago, Illinois

The Second Annual Meeting of the National Association of Broadcasters was held in the West Room of the Hotel Sherman on Monday, June 26th, at 10:15 A. M.

CHAIRMAN J. A. CHAMBERS: "The Second Annual Meeting of the National Association of Broadcasters is now in session. Mr. Loucks, Managing Director of the N. A. B. has a few comments to make."

MR. LOUCKS: "I will not make a speech, but I think I should point out and make clear to you exactly the powers of the Engineering Section of the N. A. B. This is the second annual meeting of the Engineering Section; the first meeting was held last year. Sections are not provided for in our constitution and we consider them officially as open committee meetings. Therefore, such action as you may take and such resolutions as you may adopt will be properly referred to either the Board of Directors or the general membership. The section has no power to bind the Association. Binding resolutions can be adopted only by the Board and the membership. I simply want to point out that any resolutions adopted will be directed either to the Board or the membership as a whole. That is all I have to say."

CHAIRMAN: "We will go right into the published program. We are fortunate in having with us Mr. Nelson of the Bell Laboratories. Mr. Nelson has been at several meetings at which we have discussed the need for Standards in Broadcast Practice."

STANDARDS IN BROADCAST PRACTICE

By E. L. NELSON

MR. NELSON: "Gentlemen, I have discussed this subject on numerous occasions and I have no doubt that many of you know just what I am going to say. This matter is one that can hardly be over emphasized at the present stage of broadcasting. It is a highly complex undertaking which involves one function which is performed by one agency and another by an entirely different agency. Technical requirements are essential to the successful progress of that undertaking. The problem of broadcasting is such a complex undertaking that the need for these systems requirements should follow logically. The method by which they should be brought about is by building up an organization through commercial agencies and arriving at that sort of a technical organization that we need. I think that one of the difficulties arises from the fact that transmitting people, for example, are interested primarily in putting programs on the air and receiving people in picking up programs on the air. In other words, we have looked at our own particular function without regard to the overall job we have today. The program sponsors do not pay you to put anything on the air except what they are really interested in doing as advertisers. Your job from a technical standpoint is to build equipment and system which will enable you to operate machines scattered all over the country. We are going to have to do a good job.

"Since this is a cooperative undertaking I feel it is very fortunate that we have already started along the right lines in organizing ourselves in this important work. Most of you, I presume, know that the committee, the Engineering Section of the N. A. B. and the Broadcast Committee of the I. R. E. have already met and agreed upon a program in this field and have held several meetings. I think the fact that we are making progress is a very happy circumstance and promises early progress in this important field. Probably the most important thing that has been holding this matter up and causing slow progress to be made, in my opinion, is the fact that a good many people who have been closely in touch with the situation, who have seen the commercial aspects of it, haven't been sold on the approval of the thing. They have taken the position that systems requirements will do no good. I do not quite subscribe to that viewpoint. I think that its purposes hold a little more by the receiver people than the transmitter people. In saying that I may be making a rather loose statement but have in mind the further discussion of this and we can clear the viewpoints on the subject.

"Another aspect in the matter which may be brought up by the transmitter people is their opinion that that is why we have a Federal Radio Commission. I do not believe it is entirely the job of the F. R. C. I believe if we are to make progress this is a job for us to do. Whatever is done along these lines, the expenditure of sums of money and selling the public on changes, is evident. If money is going to be spent you ought to have definite ideas on how it is going to be spent.

"Referring to practical suggestions with the idea of simply indicating to you some of the possibilities in this direction. I want to inform you first of all of the tremendous success of the regulation recently imposed by the Commission requiring fifty cycles and the degree to which that has improved beat note interference. The history of that perhaps you do not know. I think it is quite fair to say that the idea was brought to the attention of the industry by a report prepared by the I. R. E. Broadcast Committee in response to some inquiries which were made by Dr. Dellinger when he was acting as Chief Engineer of the Commission. It was the recommendation of the committee, after a rather detailed study of the matter that there would be no improvement by increasing the regulation of the requirement below fifty cycles. At that time we advanced the suggestion with considerable temerity because there was considerable doubt commercially of the equipment that was to make it practical to impose fifty cycles. The report was published and I was considerably concerned because a number of people who had a right to an opinion in the matter came to me and told me it was ridiculous to impose a fifty cycle requirement. I do not want to claim all the credit for the I. R. E. but at the time I did not think the Commission would ever have the ability to impose the fifty cycle requirement, but it was done after many hearings and from then on you all know the history. That is an example of what can be done after a study in the proper direction. We will have to approach several other things in the same manner.

"I am very much concerned about the matter of band widths. It is a fact that at the present time you cannot sell broadcasting equipment to most broadcasters unless you guarantee a ten kilocycle band width. The ten kilocycle interval between stations was set up originally when we were talking about 5 k. c. side bands. Nevertheless, there are many stations where the studio is located in close proximity to the broadcasting stations, which are actually putting out large range—to 10 k. c. That applies largely to the local stations but at the same time it will apply in the near future to some of these clear channels. I do not believe that we are ever on sound ground on the subject of band widths as long as the average radio receiver is not capable of reproducing bands much above 3.0 or 3.5 k. c. There have been some receiving people who say that they have tried wide band receivers and that the public does not want them because it is not commercial. I believe that purely from competitive standards we are going to be forced to meet this situation. We are going to have to do it.

"You can see a similar variation going ahead of you in the sound picture field. At the outset there was more wonderment at sound pictures than anything else but they have rapidly expanded to the front. The wide range systems are being brought about in the sound picture field just as rapidly. People are going to ask why they can't get the same quality in their homes. This is another example for you and I still feel that there may be competitive limits which will force us in this direction. You are familiar with some of the experiments which have been made in connection with the wired radio systems and particularly through the power lines. These people have one big advantage in that they do not have to resort to advertising lines during the program. It will be perfectly logical for them to get wide band transmission with the best of quality. If they do that, you will immediately find yourselves faced with the necessity of following their course, but the reaction on radio would be extremely far reaching. It seems to me that the 10 k. c. intervals between stations is one of the most stable influences in broadcasting today. This has brought out in our review of the broadcast field. I do not believe at the present time that research objectives constitute a foundation on which to build. One idea which might deserve consideration is to split the bands from 7500 or from 7000 to 3000 cycles. When you are in the immediate vicinity of a high power station you can tune the receiver noise level down. The local side bands overlap any of this interference and you can now approach 7000 cycle reproduction. When you are at some distance from the transmitter, however, there is a point where you have to consider adjacent channel stations of somewhat equal intensity and the job would be to close down this band pass to 3000 cycles which is all you are getting now and is a reasonably accepted standard. You get then freedom from noise and it is working in practice.

"These are just some of the ideas of practical steps that can be taken. One of the problems of this job is to outline the program and nobody can outline the program at the present time. It is difficult to sell some of these people, to give them the picture, because it is not possible to outline the whole program from the beginning. This matter calls for a research undertaking but I think the immediate thing is that we appreciate the necessity of some academic attack on the common objectives of the industry. We pledge ourselves to it and while I do not believe that there will be a revolution, nevertheless, I believe that as time goes by and we look back on what we have accomplished and where we have proceeded from, we will regard this movement as one of the most constructive steps that has been taken by the industry. I hope I have said enough to prompt some of you to get on your feet and comment on this thing."

CHAIRMAN: "I think the Engineering Committee fully understands the purposes even if some of the rest of the people here did not grasp that from the way you spoke. I doubt I would ask any questions here."

MR. NELSON: "I have been hoping that somebody would discuss the matter on a half dozen or so angles. Since there has not been a disagreement, there may be something in it after all."

MR. HORN: "A fair standard for transmitter and receiver would help out an improvement in the industry."

CHAIRMAN: "Is there any further discussion?"

CHAIRMAN: "I would like to suggest, realizing that it has a great many problems, both technical and political, the idea of transmitting the carrier and one side band."

MR. NELSON: "That is a suggestion which has been advanced again and again. There are complications which all of you should realize. A lengthy mathematical derivation of this subject would be in order but I want to give you an angle on some of the complications here. In the first place the carrier, two side band, system is the natural way to do this job. The ordinary carrier is modulated so that the distortionless detection is possible. Just as soon as you subtract one of these components you have taken away something from that wave and you no longer have a distortionless system. Unless you do something you will find you are introducing a lot of distortion. In telephone plants where many of this kind are in use, the way it is overcome is to employ a very large carrier in the demodulating tubes because this single side band and the second order terms produce much distortion. Distortion components are in that way rendered negligible. There is a problem you are going to face; for to employ carriers of large power, we are going to have to have a special kind of receiving equipment not now available. While it is technically possible, I hesitate to adopt it at the present time for some of the reasons mentioned above. One of the merits of this is the fact that we can use existing receivers if you have 3,000 cycle reception."

CHAIRMAN: "If we are going to get out, we will have to limit these discussions. Your Engineering Committee, as Mr. Nelson told you has already had several meetings with R.M.A. concerning transmitter manufacturing and are rapidly working toward a set of acceptable standards. We have canvassed all of the members of the N.A.B. and expect to get answers from them to determine exactly what the broadcast studios want and how they feel about various standards. At our next meeting we hope to discuss a complete analysis on the existing set-up and the possibility of establishing definite standards in regards to certain specific phases of it. To get on with the program, there has been a great deal of discussion recently on antennas. Mr. Harmon of Westinghouse Electric and Manufacturing Company has a discussion on that subject."

BROADCASTING ANTENNA DEVELOPMENTS

By R. N. HARMON

MR. HARMON: "I am going to present a very brief discussion of the various types of antennas which might be used for various types of problems as they may come up before the stations. I will then answer a number of definite questions which may propose a more desirable way of meeting antenna problems in general."

(Mr. Harmon illustrated various antennas and discussed them.)

CHAIRMAN: "Mr. C. B. Aiken of the Bell Telephone Laboratories is with us. He will discuss synchronization."

SYNCHRONIZATION DEVELOPMENTS

By C. B. AIKEN

MR. AIKEN: "Synchronization is about eight years old now. About that long ago we made our first efforts to synchronize on the same wave. This was done almost concurrently in England and Germany and other countries shortly afterward. The English experiments were particularly interesting because of the experiments of P. P. Eckersley. Captain Eckersley's first experiments were made on two stations, thirty miles apart in England. We know what synchronization is and have a pretty clear conception of synchronized transmission. We know that it is very closely related to transmission and it becomes recognized that distortion in the mid-air between the two synchronized stations, fifty miles apart, is unavoidable and that there is nothing that can be done to eliminate such distorted reception. The matter is one of field strength. We predict whether or not there should be distortion in mid-air. If there is any slip in synchronization, of course conditions are much worse than they are when everything is as carefully controlled. You have probably heard the type of distortion you get in between synchronized stations. At times the reproduction is very distorted so that it is quite impossible to listen to a program without real discomfort. At other times it will improve and be good. A good deal of work has been done in studying what constitutes permissible value, and the ratio is four to one. Four times the strength on the other side gives quite good reception. Careful tests made by skilled observers can get no distortion on such conditions but it is very probable that three to one is satisfactory in most cases. If the carrier frequencies of two stations differ slightly you get added effects, requiring a ratio of something like ten to one.

"To synchronize stations in one region there cannot be any appreciable frequency difference in transmitting the same program. There is another great advantage to be obtained by the use of a linear detector, since that type of a receiver gives an independent carrier ratio on a detector—that is, unless you have automatic gain control. Automatic gain control affects this factor, sometimes.

"In the early days of synchronization, it was very difficult to keep within a small fraction of a cycle and maintain control of carrier frequencies over entirely indefinite periods. Two such systems are available and make it possible to hold in synchronism two stations which are a few miles apart. You may not, of course, have too much time delay between programs for the requirements are very rigid. A plan for synchronization is available and the problem is more one that is up to the industry to vote for commercial application than it is to the engineering division to further improve the technical aspects of the equipment, for they are well ahead of the game.

"There has recently been discovered a synchronizing system whereby it is possible to limit the distortion between stations ten miles apart. That, I think is the present picture of the possibility of synchronization."

MR. HARMON: "As some of you know, the Westinghouse station has been operated since 1926 under certain circumstances. The wire line systems used have a carrier frequency band of 27 k.c. We have very little difficulty in synchronization of these two stations and they are still being operated today."

MR. NELSON: "With regards to Mr. Aiken's statements, I feel they may be lost in the large amount of very interesting discussions of the very interesting difficulties being encountered in synchronization. There have been a large number of organizations devoted to this particular problem and I hope it can be safely said that from a technical standpoint that what you need today is a synchronized job which can be made available and perfected to an extent for practical operation. The matter now becomes a problem of the industry to appreciate new instruments which would make it possible for them to improve the amount of service they are giving the country at large. There are two factors necessary for progress in this line. One problem that has to be worked out nontechnically is that of assuring cooperation between the various stations involved on a given channel, for example, because that is the soundest way to proceed. Certainly we cannot say that the time has arrived to give up the clear channels for such purposes and the value of application where such stations must exist lies on the regional channels. Under the new deal, there ought to be no difficulty in securing synchronization along this line. The outlook for synchronization is very bright; the treatment is up to you."

MR. LOYET: "I would like to say a little bit on the synchronization plan. I would like to point out that we offered to do that when first synchronization was introduced and suggested with both diagrams and paper talk that you could discriminate against one station and another by means of ground loop or antenna and I don't believe we ever received a letter from a single listener that they had improved a station. If he can get results, he isn't going to put up a complicated lay-out to receive one station. He will be satisfied with the rest of the stations he can get regardless of signals. So anybody offering use of the idea of changing receiver design in order to pick up stations is going to be laboring under difficulties."

CHAIRMAN: "Any further discussion?"

MR. FOSS: "May I ask Dr. Jolliffe regarding this synchronization plan—if he has any comments to make as far as the Commission is concerned?"

DR. JOLLIFFE: "I was hoping I was going to get out of this discussion. I wish to point out expressly what Mr. Nelson says. We are interested in bringing about a study of the systems of broadcasting. There are many individual cases which from an economy standpoint or listener's standpoint might give better attention to the question without hurting too many people. These few people involve considerable public interest.

"Consequently in applying this in allocation, we must watch New York and immediate service areas of stations of clear channel class. However, in the local channel class, there is the possibility of considerable improvement in the locations that were originally made and there are some bad spots. Many bad spots could be improved by improving the frequency control. A large amount of improvement was noted with respect to reducing the frequency control from 500 to 50 cycles. We now have further increases in the service area of some of these stations which must come about from their own efforts in further frequency control. If they can get frequency control they have improved their service area or added listeners to their improved service. In other words, in the regional or local class, synchronized experiments expand a station. On the clear channel synchronization, there is apt to be more than one station on, which will decrease the quality of that channel whether it be to a small number of people or to a large number of people. Synchronization comes about in the class of channel you are working on."

CHAIRMAN: "I think we will have to call a halt in the discussion of that. The next business is that of the North American Conference and Mr. J. W. Baldwin of the N.A.B. is going to tell us something about that."

NORTH AMERICAN CONFERENCE

By JAMES W. BALDWIN

MR. BALDWIN: "Gentlemen, there could not be a more opportune time than this to talk to a group of engineers who are seriously interested in the art of broadcasting. The duties of the station executives, embracing as they do, matters concerning commercial accounts, program construction and public policy should never be minimized but the fact remains that radio engineers must provide the vehicle without which all other labor goes for naught.

"Never in the history of American broadcasting have you gentlemen of the Engineering fraternity had so great a responsibility for the future of American broadcasting as now. This fact has been forcefully emphasized at the meetings, which have been held in Washington, since late in February, preparatory to the Central and North American Radio Conference, which will convene in Mexico City on July 10th.

"By reason of a strict injunction of secrecy imposed upon the participants by the Department of State, we have been unable to inform the membership concerning matters of greatest importance to every broadcaster in the United States. Our protests against the injunction of secrecy were unavailing.

"At the outset we filed a statement of our position, declaring in substance, for a widening of the broadcast band so as to include 10 carrier frequencies below 550 k.c. and opposing the use of any frequencies above 1500 kc as compensation for frequencies in the band 550 k.c.—1500 k.c. that may be given to other countries. Our statement was supported by all the technical data that could be made ready in the time allowed.

"One of our most serious handicaps has been the lack of sufficient technical data to mould public policies. We know that the whole weight of scientific research favors the use of low frequencies for broadcasting. But it is nevertheless incumbent upon us to build a record of quantitative data that will be overwhelming in the minds of those whose responsibility it is to shape government policies.

"Let me say to you at this point that the N.A.B. has at its headquarters a radio engineer of whom the membership can justly be proud. I know that I reflect the opinion of many when I say that J. C. McNary will travel far in the field of radio engineering. He has been of inestimable value in the preparation of technical data for the prosecution of our aims and purposes before the United States delegates. And of even greater importance—he has before him a program for the collection of further data upon which must depend in large measure the future of our broadcasting structure. You will find Mr. McNary an able and willing leader, but the burden is too great for any one man. He needs the complete cooperation of every one of you.

''Upon the success or failure of this line of attack depends whether broadcasting shall use frequencies, the propagation characteristics of which can justify the necessary investment of capital or whether broadcast stations shall become mere community phonograph stations. This must be so for broadcasters today are working in a band that is crowded. And within a few days duly appointed representatives of the United States will listen to the demands of Mexico, Cuba, Honduras, Nicaragua, Guatemala, Costa Rica, and Salvador for a place in that band. Neither of these countries have a single exclusive frequency under any treaty or other agreement. We are not informed as to what their demands will be. We do know their demands will be backed by the pride of their nation—a factor which certainly does not introduce a minus sign in the equation.

"The all important question is—How may their demands be complied with? Will the number of American broadcast stations be reduced so as to allow other countries a part of the frequencies in the existing band? Or will the broadcast band be enlarged to provide for the demands of other countries? If the broadcast band is enlarged, will it be extended above 1500 k.c. or below 550 k.c.?

''If the band is extended below 550 k.c. it will be done over the protest of the government and private mobile interests. These interests, including the Navy and Army, Aeronautical Radio, Inc., U. S. Shipping Board, U. S. Ship Owners' Association, Inc., Coast Guard and Marine radio operating companies, have been able to climax their activities against American broadcasters, with a joint appeal to the Secretary of State, which, I am informed, bears the signatures of the Secretary of the Navy, the Secretary of War, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Agriculture, the Postmaster General, and the Chairman of the U. S. Shipping Board. All of which may mean that broadcasters are just waifs in the storm.

"These same interests have not opposed an extension of the broadcast band above 1500 k.c. to include 1640 k.c.

"We have doggedly fought for the use of low frequencies for broadcasting. We have urged the responsible government officials to recognize the trends in Europe toward the use of low frequencies for broadcasting, and to make provision for the establishment of prior rights, in the United States, in the same low bands. We have endeavored to point out the lack of coordination of related government radio activities whose demands for channels are so great. We have challenged the use by shipping interests and government departments of equipment which, by reason of its antiquity and poor quality, requires a space in which to work that cannot be justified by the present state of the art.

"We confidently believe we have built a record that cannot forever be ignored and upon which the industry can continue to build with an eye to the world convention in Cairo in 1937. The lack of adequate preparation spelled failure at Madrid in 1932. The decisions made at Madrid have been millstones in the preparation for the Conference at Mexico City. There is no reason to make the same mistake twice. I have every confidence that you can and will give your best toward building a record based on research that cannot fail to shape future policies of the government which affect broadcasting."

CHAIRMAN: "Gentlemen, this subject of the North American Conference is now open for discussion. Everyone should realize its importance; as Mr. Baldwin has pointed out its purposes have been more or less of a secret nature. His collection of data has been without some of your knowledge. If you have any comments to make at this time or any questions to ask, Mr. Baldwin will be glad to take care of them."

MR. FOSS: "I recognize the fact that we all have had the problem of being able to widen the band and I also recognize the fact, and I guess you all do, that we would like to widen the band from 550 down, due to the fine propagation characteristic. I am wondering if the National Association wants the comments of this meeting to go on record. Personally, I feel as though we should make some kind of a statement recommending that the Association do all in its power to widen the band and expand the number of channels even from 1500 up if necessary. I may be wrong and suppose the Association does not want an expression at this meeting at all. I would like to hear from someone else on the subject. I feel that if we widen the band, or if we have a part in it, we are going at least to accomplish something which in 1937 at Cairo can perhaps be readjusted with the proper investigation Mr. Baldwin called for. I am not in favor of 1500 k.c. up, but I think it would be better than nothing.''

MR. BALDWIN: "The Association is on record as opposing frequencies above 1500 k.c. in lieu of frequencies in the band 550-1500 k.c. We have agreed that from an interference point of view there is no objection to extending the band to 1640 k.c. I think it would be an error for the National Association of Broadcasters to agree to an expansion of the broadcast band over 1640 k.c. because I think by doing that it would establish a precedent. You know it is impossible to use frequencies above 1500 k.c. in lieu of what we have and do it successfully. I think it would be a very dangerous precedent."

MR. FOSS: "I do not question that, but thought we would rather have 1500 k.c. than nothing. The one thing I am thinking of is the very strong drive that is going to be made for 1650 k.c. by the other interests and we must recognize this fact. It is important to answer the question for the reason that no one to my knowledge has any idea what the North American countries want in the way of frequencies. If these facts were known, it would be possible to answer the question. If, for example, it were not for the noise level, we would be willing to use 1500 k.c. up, but, so far as American broadcasters using them for what they now use and which is to be given to the Republic of Mexico, then that is a much more serious question."

MR. BALDWIN: "I think perhaps you misunderstood me. I did not mean that we could not give up 1500 to 1650 and take from 1500 to 1000. I meant that the general band be widened at this conference, if possible. I think perhaps interests in our own country might protect us from giving these frequencies. I am taking exceptions, making statements—perhaps offering too much discussion on the subject."

MR. JANSKY: ''I think some one who has had the opportunity like I have to see the magnitude of the problem which is confronting the Association in connection with the North American Conference, ought to get up here and say something about the splendid work that Mr. Baldwin and Mr. McNary have been doing on this subject. I am frank to state that there is not a single broadcaster who realizes the problem he is up against but that the headquarters at Washington are doing their very best to save the American broadcasting industry from what may be a striking blow. I appreciate what this industry is up against from the standpoint of coming out at this North American Conference with a whole scalp. I am not going to comment upon the relative value of frequencies above or below; if the broadcast industry does not know by this time, that is too bad, but there are secret forces at work to prevent any widening of the broadcast band at this time. I do think that it is important that the industry appreciate that Mr. McNary and Mr. Baldwin are doing the very best they can without the support they ought to have from the broadcast industry in what is to be an extremely difficult situation.''

CHAIRMAN: ''We had better go to the next subject. We have been discussing some value of frequencies and Dr. Dellinger has some facts to give us.''

PROPAGATION CHARACTERISTICS

By DR. J. H. DELLINGER

DR. DELLINGER: ''Chairman and gentlemen, I will say a few words about the status of this subject. The subject is one of basic physical data. I think that the development of standards in your field is unavoidable because of the tremendous complicated problem that you have. In order to determine what constitutes acceptable signal intensity, or what constitutes tolerable interference, and what are the frequencies that should be allowed in broadcasting, and what frequencies should be used in a practical combination of distance and other rules of these problems, involve in one passing day a great variety of other problems, psychological problems and practical problems. These factors are all very complicated in the particular one which I wish to discuss.

"It appeared, from the preparatory work for this North American Conference that it would be desirable to get as clear a statement as might be possible of that one side of the problem—the physical facts,—and that was done by a small committee that was appointed in connection with the preparation for the North American Conference. That committee has turned out a report which sets forth an issue which I think will be of use to you. It turns out to be more clear and distinct than we hoped at the start.

"There has not been any place to which you could turn to find out definitely the specific relative values of the various frequencies of the broadcast band and the frequencies adjacent thereto. It has become possible to take known facts and give you a definite answer to those questions. A little work of this kind was done at the Madrid Conference and it was thought that it would be helpful if some definite statement be compiled to give the actual field intensities at the frequencies concerned in broadcasting. The results of that work are contained in a paper published in the July issue of the Proceedings of the I. R. E. This report of the American Committee which I am talking about will also be published later in the Proceedings.

"This American Committee has developed the subject considerably further. What we did was first to check available data and plot curves giving the field intensities at distances from zero to 6,000 kilometers and frequencies from 150 k.c. to 1700 k.c., those being the limits of the range in which you are presumably interested. This work also includes figures giving the variation with frequency for interference with reception of signals caused by static and other noise such as electrical interference, receiving set noise, etc. The data included in this report are based on all the facts we could get our hands on. Data has been obtained both in this country and in other countries and covers all of the theoretical work that has been done. A number of things stand out and I will just mention a few of the high spots. In the first place you have to untangle the difference as between day propagation and night propagation. Up to a certain distance in the daytime, the transmission is only ground wave transmission and for night, ground wave transmission conditions are pretty uniform and we put down definite curves giving the intensities at the various frequencies. It is those ground wave curves which give you values which vary with the different frequencies. Ground conductivity varies from sea water to the worst ground conditions we have. It turns out from the data we have collected that the distance of transmission at night is independent of ground conductivity and independent of frequency and that is distinctly brought out in the data that we compiled, and seems to be quite well substantiated.

"The day and night distances vary from about 40 kilometers for the lower conductivity and the higher frequencies to about 400 kilometers for the higher conductances and the lower frequencies. At greater distances than those, the sky wave predominates and the ground wave is negligible at the receiver so that it fades both day and night. We have some data showing that and it seems to be a reliable conclusion. To this fading distance both day and night, the received intensity approaches ground values. The report giving this compilation, we also have plotted the field intensity curves on a larger scale for the short distances. For distances up to about one hundred and fifty miles the curves show the received intensities for the various frequencies. These curves will be of use to you in collecting service areas data and that sort of thing. As I said they are pretty reliable and you can apply them to any particular example and you will find that they check. I might summarize that in this part of the data we assimilated some rather complicated sets of phenomena and the few points I have mentioned, together with the curves enable you to check phenomena and write down something which will apply and give you some actual facts for propagation in different cases. When you come to consider the limitations imposed by noise and the very seriousness of noise, the problem is even more complicated. By checking such facts as we have, as I said, we have worked out curves giving the distance at which you get a useable signal for various values of noise level, which corresponds to various localities for various assumed regions signal intensity to noise, for different powers.

"Mr. Chairman, to go into any further detail of the matter of data available on this acceptable signal for different regions of signal intensity to noise, etc., would take ten or fifteen minutes. I am not sure whether it would be desirable to do that. Perhaps it might be well to terminate my presentation here and I would be glad to carry on further if it is interesting to you."

CHAIRMAN: "You said the curves are available?"

DR. DELLINGER: "The report of this committee was sent out by the Federal Radio Commission and I presume that they have some copies for anyone who is especially interested. The document has been sent in to the Proceedings. Just what particular issue it will appear in, I do not know."

DR. JOLLIFFE: "As far as copies are concerned, we have a very limited number."

CHAIRMAN: "I think that answers a lot of questions on frequency valuation and points out a lot of things quite clearly. We are all interested in being able to secure the information. Before we go into this next discussion, which I am sure will break up the meeting, I want to get a picture of the entire group."

CHAIRMAN: "Gentlemen, this next subject is of great interest to a number of people. It has been put on the program because it has been discussed quite a bit and promptly everyone began writing about it. The subject is power increases for local and regional stations and may go on for several hours. It is now eight minutes of one. A motion to adjourn now for luncheon is made; possibly you would like to go right into the discussion of it."

Upon motion, it was decided to continue the meeting.

CHAIRMAN: "Mr. Bridges WEBC will open the discussion."

POWER INCREASES FOR LOCAL AND REGIONAL STATIONS

By W. C. BRIDGES

MR. BRIDGES: "I am here as an advocate of higher power on regional channel frequencies, because of a conviction that only through a substantial increase in power will we be able to continue meeting the demands put upon us by our present audiences.

"Unquestionably, regional stations have suffered a loss of many listeners since the general advance by cleared channel stations to 50 kilowatts. If nothing is done, I am convinced that we shall soon find ourselves in more difficult circumstances. Under the American plan of broadcasting, we are largely dependent on advertising revenue to meet the cost of operation. This being true, when a station finds itself with income reduced, due to lack of advertising, eventually it will have to cut costs. This will be rapidly reflected in the quality of service. As the quality of service falls, listeners tend to look elsewhere for what they have come to expect, and the advertisers remaining will soon be found spending less money with the stations thus affected.

"I am not suggesting that cleared channel stations be limited as to power, or otherwise regulated beyond what is true of the present. However, with standards of performance changed, since the Federal Radio Commission set 1 kilowatt as the upper night-time limit on regional frequencies, our position as a group has been placed at a disadvantage due to the fact that cleared channel stations have been able to multiply their original figure of 5 kilowatts.

"Broadcasting is now an established medium for advertising. It is no longer an experiment, and, therefore, has its place in modern business. But old claims for coverage will have difficulty in standing up under field strength surveys, not to mention listener-preference investigations. These surveys are being made and more will follow and be employed by advertising agencies in behalf of their clients.

"The large national advertiser already has his suspicious as to claims for coverage, and is after the truth. He knows that the listener will, with few exceptions, tune to the stations affording programs most free of interference. A few years ago, atmospheric and man-made electrical disturbance was tolerated to a degree hard to comprehend today. All of which indicates that with new standards of performance, something will have to be done, and done soon, if we would maintain our present rate cards.

"WLW is called the nation's station by its announcers. We have also heard cleared channels spoken of as national channels, giving the impression that such stations not only carry programs of a more broad or national interest than others, but also actually serve the entire nation, or a large part of it.

"The designation "regional station" I understand as indicating one covering the interests of a given trade area or community possessing common problems and capable of reaching listeners in an adequate manner. A local station may be presumed to cover a limited area as, for instance, a small city,—the intent being to take care of matters of peculiar interest to listeners residing therein.

"When the Federal Radio Commission gave consideration to regional coverage, it doubtless concluded that 1 kilowatt was sufficient and that one-tenth of a kilowatt would be satisfactory where local coverage only was desired, while cleared channel stations were given 5 kilowatts. However, it appears that 5 kilowatts was found to be insufficient, and although a quota charge of 5 units was made against each full-time station of that power, this charge was not changed when such stations increased power to 10, 25, or 50 kilowatts. It would seem, therefore, that no quota difficulty should arise for stations of other classifications, if there is economic, social, and engineering justification for a general increase in power. I believe economic and engineering evidence is available to substantiate the contention of many that the Commission should modify its orders, so as to increase power on regional and local frequencies.

"Given a sufficient increase, these stations will be able to regain much lost ground, for the reason that their programs have or should have many items of local and sectional interest not carried by cleared channel stations. By thus bringing back original scope and cementing their audiences, the revenue will return to pay for improved output, for advertisers will find that after all five or six, 50 or 500 kilowatt stations won't do the job any more than will a Chicago paper take the place of one published in Duluth.

"The North American Conference on Radio to be held in Mexico City may result in some change in the present allocation or frequencies in the United States. But it would seem that power increases or other improvements in public interest should not be delayed on that account.

"I firmly believe that the American plan as opposed to the British, Canadian or any other is superior and best suited to our temperament. However, the relative standing of local and regional stations must be maintained with that of the cleared channel station if we would continue broadcasting in private and not governmental hands—otherwise a strong bar will be let down to those advocating public ownership and operation.

"That we may continue the American plan with greater profit to the public and to the industry, I ask for regional and local stations with the privilege of improving service through a more just and scientific allocation of power.

"With your permission, I now present C. B. Persons, WEBC's engineer who will continue along more strictly engineering lines."

POWER INCREASES FOR LOCAL AND REGIONAL STATIONS

By C. B. PERSONS

MR. PERSONS: "I am employed by Station WEBC, which operates on a frequency of 1290 kilocycles, a channel shared by six other stations. WEBC's power output is 1 kilowatt at night and 2½ kilowatts daytime. WEBC is located at what is known as the Head-of-the-Great Lakes—the western most port of Lake Superior. WEBC has studios in both Duluth, Minnesota and Superior, Wisconsin—these cities being separated by the St. Louis River. The transmitter is located two miles from the business district of Superior and six miles from the business district of Duluth. The total population of Duluth and Superior is approximately 150,000.

"While many of the statements I will make apply specifically to Station WEBC, I believe that these statements will apply in a degree to all regional stations. I am not acquainted with the problems of local or cleared channel stations, or stations on frequencies lower than 1000 k.c. It is my intention to discuss two general facts. First, the fact that the present power allocations to regional stations are inadequate. Second, that higher power levels for regional stations will not create an undesirable situation.

"The present power levels allowed regional stations are either wholly inadequate or else the term "regional station" has been misapplied. My interpretation of the expression "regional station" is a station giving serviceable signal to all listeners in the city in which it is located, and in the trade area of that city. A local station then would be a station giving a serviceable signal to all listeners within the city in which it is located. The Federal Radio Commission has designated some forty channels, as "cleared channels." Because cleared channel operation provides possibilities not found in other services for long distance transmission, I would say that the particular field of usefulness of a cleared channel station would be to give national coverage, or to give a serviceable signal to all listeners within the country in which it is located.

"With the possible exception of a few local stations in small cities, I can think of no instances where these definitions are borne out in practice. Yet, I cannot believe that the Federal Radio Commission has intended other meanings for the words "cleared channel," "regional" and "local." To expect a regional station to only give local coverage and a national station to give regional coverage, with occasional national coverage, is not in keeping with the apparent intended meaning of those words.

"Suppose we proceed on the basis that the term regional station means a station that gives a serviceable signal to all listeners within the trade area of the city in which the station is located. I would define the term "trade area" as the area surrounding a city, from which the merchants of that city draw their trade. It is the area from which people travel to a particular city to buy and sell, and these people are bound to that city by social and political ties. When a merchant in a city places advertising, he does so with the view of reaching all people who are likely to come to his establishment. This means that he must reach, in addition to inhabitants of the city in which he is located, the inhabitants of the surrounding trade area. When the average city merchant, wholesaler or manufacturer chooses radio advertising, he attempts to choose a radio station that effectively covers the territory from which he draws his trade. This type station is logically the regional station. He assumes that the regional station reaches all inhabitants of his trade area. He is told by station solicitors that the station covers that territory, and he is charged for his advertising on the basis of trade area coverage.

"But do regional stations lay down a serviceable signal over their trade area? In our case, I have grave doubts. This is a point over which there is constant conflict between the Commercial Department and my department. The solicitors, in good faith, represent the station as giving a trade area coverage, and when they get a kick back from the advertiser, it is passed along to me with resulting arguments. If we were giving good trade area service, there would be no kick backs from advertisers, or complaints from listeners.

"Now the question immediately arises in one's mind: Is WEBC's transmitter operating so inefficiently as to lay down a field strength below that recognized as average for stations of our power? I can quickly dispose of that possibility. Because of what appears to be a very favorable location, our transmitter lays down a field strength of 200 millivolts per meter, at a distance of one mile, with an antenna input power of 1 kilowatt. The generally accepted standard for antenna input powers of 1 kilowatt at a distance of one mile is 125 millivolts per meter. We find ourselves doing a somewhat better job than the average. Still, appearances are that we are not giving trade area coverage.

"The remaining possibility is that the signal reaching the listener is not adequate for the kind of service we are supposed to give. When an advertiser engages the services of our station, he expects the station to bring his message to his customers or potential customers clearly and understandably at the time he contracts for. The advertiser cannot be expected to anticipate times when portions of his customers or listeners will be unable to receive his message, because of local interference, and contract for time accordingly. The advertiser selects the time when he believes he will have the attention of the type of audience most interested in his product. It is the job of the station to bring the advertiser's message to all listeners in the trade area of that station well enough to override local interference, so that these listeners may listen to the advertiser's message if they so desire. And this must be possible at any hour of the day or night.

"Extensive observations convince us that when using an antenna input power of 1 kilowatt, the true service range or where our signals can be received absolutely, is about 1½ miles, or a field intensity of greater than 100 millivolts per meter. We find that we give fairly good service up to a point where the field strength drops to 25 millivolts per meter, which is about 5 miles. At points where the field strength is less than 25 millivolts, the listener may listen to us and he may not, depending on the extent of static and induction noises. The advertiser may reach customers outside of the 5 mile circle, and he may not. Remember, I am speaking of good noise free service. That is the kind listeners expect, and that is the kind of service radio advertisers are beginning to expect and the only kind they are going to continue to pay for.

"We give good service up to 5 miles, with an antenna input power of 1 kilowatt. Some of the heavily populated suburbs of the cities in which we are located are 10 miles from our plant. The trade area of these cities has a radius of about 75 miles. For us to expect to increase our power output so that listeners on the outer edge of our trade area circle receive a 25 millivolt per meter signal, is a little beyond our present hopes. However, such service appears to be the ultimate, and any step toward that end is a step in the right direction.

"It is our feeling that if, as the next step, we could move the 25 millivolt line out so that it at least includes the cities in which we are located, we could be temporarily relieved of the pressure being brought to bear on us by listeners and advertising clients. This would mean a five-fold increase in power. Our present power is 1 kilowatt night, 2½ kilowatts day. A five-fold increase would make 5 kilowatts night, and 12½ kilowatts during the day.

"Now I want to point out why increased power to regionals will not create an undesirable situation. I am told that when a station increases its power, the blanket area of that station expands and the station becomes a nuisance to a greater number of listeners. As many regional stations are now located near the centers of population, this may seem, at first thought, to be an obstacle in the path of high power. I have been told that the blanket area of a station is the area around the station where the field intensity is greater than 100 millivolts per meter. I am also told that blanketing means that a station's signal arrives at the receiver with such intensity that the set cannot tune that station out within plus or minus 50 kilocycles of that station's frequency. Personal experience shows me that when using a modern receiver, a 100 millivolt signal does not cause blanketing. Neither would a five-fold power increase in any transmitter or 2¼ times 100 millivolts cause blanketing.

"Laboratory curves show that the average 1931-32 superheterodyne receiver has selectivity such that the ratio of response of wanted to unwanted signals is in the order of 50,000 to 100,000, where the difference in frequency is 50 kilocycles. This is not the ultimate. Better selectivity will be available when it is needed.

"I realize that there are a number of obsolete tuned radio frequency single circuit and crystal receivers in use, and of course they are not as selective as a superheterodyne receiver. If there were a general movement toward higher power, the owners of these sets might protest. In answer to that argument, I want to read a quotation from an article in March, 1933 issue of "Electronics" written by Mr. C. W. Horn, Chief Engineer of the National Broadcasting Company: 'To refuse or make impossible improved service to a large number of listeners, because there are still a number of obsolete receivers in use, controverts all ideas of progress. For there to be no progress until these obsolete receivers fall to pieces or die of old age is utterly unreasonable. Just as manufacturers will not build improved receivers unless there is demand for them, just so will there be no improvement in general reception conditions until a situation is created whereby these few obsolete receiving sets must be replaced. A broadcasting station is intended to serve the public, which I interpret to mean the great majority and not a selected few. For this reason, I feel that the Federal Radio Commission could very well change its requirements, and classify areas having 1000 or more millivolts per meter as blanket areas, instead of a figure 100 millivolts as at present. Radio manufacturers will give added attention to more complete shielding and selectivity of receiving sets, so that in time even 1000 millivolts can be exceeded.'

"The quality of receivers has improved to a point where the old 100 millivolt blanket area no longer holds. Therefore, regional stations should be able to increase their power, and remain in the same location without fear of blanketing. Another cry against higher power for regionals is the assertion that heterodyned interference between regionals on the same channel would be worse. This fact was a real menace a few years ago. However, today we find transmitters maintaining their frequency closer than 50 cycles, thus eliminating the penetrating beat note audible on some parts of the dial. And we also find that the percentage of modulation is increased from 30 or 40% to 80 to 100%.

"The total effect of these two improvements is to eliminate the nuisance type of interference and replace it with simple cross-talk. Cross-talk from channel sharing stations has never concerned us overly much. Such cross-talk that does interfere with our programs, only shows up a few hours during some evenings, and comes almost entirely from one station. Where cross talk causes difficulty, I suggest the use of reflecting system to concentrate the energy where it is most needed. It happens in our case that approximately 80% of our audience lies northwest of our plant. With increased power available and if it were so stipulated, we would install a reflector in such a way that the field intensity east, south and west of our transmitter remains substantially the same as it is at present, while a gain in signal intensity would be realized northwest of our plant, a place where it is most needed. Other stations on our channel are east, south, and west of our plant. In other words, the signal would be reflected away from the other stations on our channel.

"It has been argued that because of the presence of the fading ring, where sky wave and ground wave meet with such intensity as to cause severe fading, increases in power, being unable to correct this, would be useless. Stations on frequencies higher than 1000 k.c. are likely to find this fading ring well within their trade area. Recent investigations have revealed that this effect can be reduced through proper antenna design at the transmitter. In addition, automatic volume control on receiving sets has helped to still further reduce the unpleasantness of fading.

"Another angle to the interference problem is this: cleared channel stations have increased their power. If regionals and locals increased their power, we would find all signals arrive at the listeners receiving set at a higher level than say three years ago. What would be the effect? Just this. The listener would decrease the sensitivity of his set. The signal in the speaker would be the same, but static and induction noises would be decreased. If that process could be carried far enough, the listener could decrease the sensitivity of his set so far that static and other noises would completely disappear.

"Now to sum up: regional stations are supposed to lay down a serviceable signal over the trade area of the city in which they are located. As things are at present, most or all regional stations give only fair local coverage and fail altogether to give trade area coverage. A five-fold increase in the power of all regional stations would go part way toward improving this situation. The expense of this change should be well within the means of all regional stations. A general increase in station power outputs will not create an undesirable condition. The coming of good superheterodyne sets has eliminated the fear of blanketing. Improvement in frequency stability and in the percentage of modulation of transmitters has eliminated the heterodyning from shared channels. Directional radiating systems could be used to reduce cross-talk by shared channel stations. And finally, as cleared channel stations have increased their power from 10 to 100 times, all other classes of stations should increase more or less proportionately to put them back on an equal footing.

"It is our opinion that all regional stations should be allowed to increase their power output to 5 kilowatts night, and 12½ kilowatts daytime. I also have another suggestion, which will be food for thought. Because of high levels of static during portions of the year, why should not regional stations be allowed to use a power of 12½ kilowatts both night and day during the spring and summer. Let the listeners have interference-free reception from as many stations as possible, so they may select programs on their merit alone. Such practice could only work good for American broadcasting.

"The movement for higher power for local and regional stations is yet young. Correspondence with numerous station owners and station managers has shown us that there is a general feeling that regional stations should be granted power increases. It is apparent that individual action will accomplish but little. The Federal Radio Commission is not going to consider raising regional power levels unless they are first convinced that the regional stations want power increases. Action through the N.A.B. is one way of accomplishing this. Our intention this afternoon has been to present briefly a few facts on the general situation, cite a few of our experiences as a regional station, and to attempt to arouse interest in the problems of regional stations."

MR. FOSS: "This particular discussion rather puts me in a bad position and I have got to be careful. A couple of years ago I applied for and got a 5 k.w. transmitter for a station which I built in Portland, Maine, to operate on 1 k.w. At present we have 7 millivolts for the city. I would like to have 25 millivolts across the city. To get 25 to 75 millivolts it looks like 25 to 75 k.w., which is more than Joe Chambers is getting experimentally.

I don't believe that we, as a group, realize how damn near we are to losing what we have. I was hoping someone would give an expression that if we keep what we have in this country we are going to be lucky. I recommend that we do everything in order to keep what we have. I think 2 millivolts is a pretty good signal to have floating around and I am quite happy to use 500 microvolts when I can get it in.

MR. BALDWIN: "In connection with the Davis Amendment, I think all of you, as engineers, know that the apparent meaning of Section 9 as amended is one which speaks of equality of transmission and reception facilities.

"I believe that there isn't one single thing that is more important for the N.A.B. to do than to undertake a real honest effort to have the Davis Amendment repealed at the next session of Congress. If there is any agreement with other countries that results in the listing of a single frequency as an exclusive channel for other countries you can put it down that there is going to be a general reaction of a number of stations in the United States. There is going to be a reaction in the face of the Davis Amendment. You gentlemen might not agree with the method of computing equality as set up by the Federal Radio Commission and you might object.

"As some one has pointed out, a 500 watt station cannot be increased to a 1,000 watt station without interfering with quota charges, as compared with no increase in the charge to quota for a clear channel station of 5,000 watts increasing to 25,000 or 50,000 watts.

"Do not forget that unless we consider these problems seriously, and offer something to the Federal Radio Commission, they never will be changed."

MR. BRIDGES: "I would like to offer a resolution: Whereas, It is the sense of the Engineering Section of the National Association of Broadcasters that power increases for local and regional stations merits study and investigation,

"Be It Resolved, That the Engineering Committee is hereby instructed to investigate and report its findings to the annual convention.

"I would like to ask Mr. Baldwin if he thinks the resolution will accomplish something for us."

MR. BALDWIN: "I think it depends on how much you put into it. You are not going to get out of anything any more than you put into it."

CHAIRMAN: "I will ask that the resolution be read again."

A motion was made and seconded that the resolution be adopted. It was put to a vote, all in favor remaining seated and all opposed rising. The motion was carried.

CHAIRMAN: "A committee will be appointed to study and investigate the power increases for local and regional stations."

MR. HOFFMAN: "Mr. Baldwin has brought out some good points and I would like to offer this resolution.

"Whereas, It is the sense of the Engineering Section of the N.A.B. that the Davis Amendment to the Radio Act of 1927 is unsound from an engineering point of view and is contrary to the laws and nature, be it resolved that we impress upon Congress the necessity for the repeal of this amendment and that, pending the repeal of the Davis Amendment, the Federal Radio Commission be impressed with the necessity for changing its present method of charging so as to allow increases in daytime power without increasing the charge."

CHAIRMAN: "That is rather a broad resolution and I think that should be open to some discussion.

"The resolution would impose an obligation upon us and I think it should be carefully studied before we attempt to correct the commission in its ways with a far-reaching resolution. I think that we should study the matter very carefully before attempting to set us any new standards."

MR. GROVE: "I should like to ask if any one of the members present could express himself on the horizontal increase of power, either daytime or nighttime, and whether it is technically possible from the standpoint of interference. I have been told that horizontal increase of power would cause no additional interference. I do not know and would like someone else to express himself."

CHAIRMAN: "The resolution just passed imposes on the committee the obligation of determining those facts very definitely."

MR. FOSS: "We cannot make recommendations to the Commission unless they are backed up with definite facts. I do not think that any group of the N.A.B. today has enough facts to go on record for the whole association as recommending that the system be changed. Probably we all object to it. I do, and everyone else does. We cannot put ourselves in a position to say something is wrong unless we can offer something that is better and make suggestions."

DR. JOLLIFFE: "I do not care what kind of resolutions the Engineering Section of the N.A.B. passes. I do think that the resolutions which the Engineering Section or any engineering section pass should be based on sound principles. There is one way of getting sound principles and that is studying facts which underly these principles. There has never been presented to the Commission any organized study of transmission data in connection with any case presented to it. Up to the last few months the only organization that has made or attempted to make a study of the engineering principles is the engineering division of the Federal Radio Commission under my direction. If an organization such as this believes those facts are wrong, we are willing to take it under discussion. However, I want to point out that the quota system under which we work was given a lot of consideration. It is not perfect. We know where it is weak probably better than the rest of you, but until we have something better, I insist it is as good as anybody has proposed and we will continue to enforce it. However, if the Engineering Section of the N.A.B. will make an engineering study and present it to the F.R.C. I want to assure you that as long as I am in charge at the F.R.C. it will be given very careful consideration. However, any resolution which may be adopted on the spur of the moment without engineering facts and based on individual cases, I can assure you will be given very little consideration. These, gentlemen, are the facts as they stand to you. The Engineering Division of the Commission wants all the data we can get. We must change our engineering principles or rather our empirical data from time to time as we get more facts. But I want to impress again that we must be shown on the basis of adequate data, adequately analyzed and adequately presented. I just want to use an illustration. During the past few months there has been considerable talk against the selectivity curves used by the Commission in connection with the empirical standards. The selectivity which we took from good data has been obtained for a period of a year. It was subjected to an attack at a meeting of this group and some others at a meeting in New York a few weeks ago and it was presented originally at that meeting to show that this selectivity curve is related to receivers which are several years old. We had the data prepared in a form which we can analyze and I am sorry I do not have it with me here. We drew on what selectivity curves were submitted and those which we use in our empirical standards. Our curves lie between the tuned and the superheterodyne receivers from 1931 to 1933 and I submit that there is where it should lie. That is simply given as illustration of attacks of statements which are made without adequate data. If the men, and they were good engineers, had analyzed the curves and compared them they would have found that out, but it isn't until you get down to an analysis that you get definite facts. Referring to the statement I made that we want all the data any of you have and if our empirical standards are wrong, we will change them,—we will be the first to change them, but we ask that in presenting to the Commission any data or any request for change that it be based on a sound study such as was proposed in the first resolution and that the study consist of adequate data, adequately analyzed and properly presented."

CHAIRMAN: "You have heard some of the facts concerning the Federal Radio Commission. Dr. Jolliffe pointed out that the Commission would be glad to accept a review of facts that we, as a body, can present. I can assure you that represented in this room are the engineers who can present more facts than any other group in the country.

"Is there any further discussion? The subject is still open for discussion."

MR. GILLIN: "Following Dr. Jolliffe's remarks, if the Davis Amendment is unsound, your remarks and the need for facts being brought to the attention of the F.R.C., I think it would be only fitting and proper that the resolution that has already been passed should be a portion of the general resolution to the end that the Engineering Section would get the data, and, if necessary, show that the Davis Amendment is wrong, and also to present an amendment to supplant the Davis Amendment. Because, after all, you are going to have to get something just as good or better as Dr. Jolliffe said or you cannot take the Davis Amendment out."

MR. COHAN: "I would like to take about two minutes to leave a thing or two with the membership of the N.A.B. I think that perhaps there are one or two facts generally overlooked in the functions of the Engineering Division of the N.A.B. This is not a group that gathers every day or every week; it is not a body group of the Association; it is not a group that has a lot of funds available for making intensive surveys or employing people to make them. Mr. McNary, who is now devoting his time to matters for the Association, cannot take under consideration every problem that is brought out and carry it through in a very complete engineering state. I think that if the Engineering Division of the N.A.B. is to get anywhere there should be proposed a better method of operation. The thing I have in mind is that all the stations which are members of the N.A.B. should elect or appoint, or automatically have appointed the chief engineers of every station to assist in whatever engineering work is of importance to the association, the Federal Radio Commission, and the listeners, and, as a method of functioning, allow the chief engineers of all the stations in each zone to select one of their number for direct contact with the Engineering Division of the N.A.B. and in that way there would be five men representing the entire gathering and each man would be the choice of the engineers in his zone. Anyone in any one of the zones having a matter for the engineering operations of the station could submit that to the man in charge of his zone and in turn would clear it through the division and the headquarters in Washington could refer it to the other four members. Then these five members as a group could decide both the importance of the subject and the extent to which the engineering division of the Association should go in following it through.

"I think that would assist materially in doing just what Dr. Jolliffe has suggested and that is to give him all the engineering information or data we feel is of importance for his consideration and investigation, and not just on the spur of the moment. I would like some discussion as to how the Association feels with regard to such a group of engineers. We all come to the meetings and somebody resolves that we do this, and that the Engineering Division do that, and then the members of that group find that they cannot all get together in one city until four months hence and a year rolls around pretty rapidly. If the members of the Association would take some of this responsibility and cooperate, we would probably get something accomplished."

CHAIRMAN: "We seem to have started out for some discussion."

DR. JOLLIFFE: "I want to say that if this Engineering Section of the N.A.B. is going to make a study, I wish to offer all the data which we have accumulated as being available to the committee for such use as it may desire."

CHAIRMAN: "We certainly appreciate that, Dr. Jolliffe. I think most of us recognize that the Commission you have is certainly most complete as it stands. Mr. Cohan's remarks were quite correct in that for relatively small matters it is almost impossible to get everybody together."

MR. HOFFMAN: "I think that perhaps the best thing would be to withdraw the resolution."

CHAIRMAN: "Would you care to make a modified resolution?"

MR. HOFFMAN: "I assume someone else could make a suitable one."

MR. FOSS: "It does not seem to me that our Committee, as a committee of engineers, should try to suggest to anybody an amendment to take the place of the Davis Amendment. It is a case of not having anything better and I for one, as a member of the committee, would hesitate to voice my views thoroughly on the subject."

CHAIRMAN: "The Engineering Committee could do some work with regard to a revision in so far as we could collect technical and engineering data. I believe that perhaps we could collect enough to point out its many weak spots and we could get a change as a local matter. I think it is within the scope of this section."

MR. FOSS: "Is there a Legislative Committee? I do not know how it would apply. If this information could be referred to them we could revise the resolution that has been passed."

MR. COHAN: "I would like to offer a resolution that the stations in each zone carry out my suggestion and elect one of their number to act in a cooperative manner with the present Engineering Committee of the N.A.B. and that these five men in this group of individuals be a fact-finding committee and that the Engineering Committee take such matters which are referred to it and work them out in cooperation with the Broadcast Committee of the Institute of Radio Engineers."

MR. FOSS: "I second the motion."

CHAIRMAN: "The resolution has been made and seconded. We will put it to a vote. All in favor, raise hands. All opposed? Motion carried."

MR. CAMPBELL: "I have been very much interested in hearing ways and means of spending money. I am interested in saving some money in tube costs. We have at Dallas made some rather extensive studies in costs of tubes and other equipment and have found that tubes have been the only depression proof part of our transmitters. Some way or other should be devised to cut the cost of operation down and I think the Engineering Committee should look into that with a view to obtaining a reduction in transmitter tube costs. Receiving tubes are down to about twenty-five cents a dozen. While the transmitter tubes are about $1650 each."

CHAIRMAN: "Although this is a little out of line with the immediate thing before the committee, that is something that I propose be taken up and discussed by the engineers of the N.A.B. They will take some action to accomplish any such results. We did a lot of discussion about that a little while ago. Are we clear on that now?"

"Is that committee proposed by Mr. Cohan to supplant the present Engineering Committee?"

MR. COHAN: "The thought I had was that this would be a committee in the field. It would take the Engineering group of this Association and give each station better representation in the Association in order to carry out the last resolution. I would propose that the National Association of Broadcasters send a ballot to the chief engineers at all the stations who are members of the Association enclosing a list of the chief engineers in that zone and ask the men to vote on whom they want from that zone to represent them in that zone. These five men would bring the matters submitted to them by the chief engineers to the present Engineering Committee and the present Engineering Committee would then review and make whatever comments each might have and submit them to the other men in the four zones. In that way we can eliminate matters that are not terribly important but we can so revise them that we just get the root of the subject and eliminate any possibility off in other directions. The present Engineering Committee could augment the new committee and assist in field work which the present committee is not able to handle. It is possible that certain things would be desirable. If, for example, you were in the fourth zone and have a particular problem in that zone, the members of the Engineering Committee might be from the first zone and might be more familiar with the problem than the Engineering Committee and, therefore, would be the person you would rest heavily on, on the particular conditions in that zone. The field zone men would not replace the present committee but rather to augment it."

MR. COHAN: "This is not meant to pass the buck, but I move that Mr. McNary, Mr. Chambers and Mr. Loucks, all of whom happen to be in Chicago at the moment, tentatively decide on a number from each zone and submit that list to the other members and see if there are any objections?"

"A motion has been made and seconded and it is required that it be put to a vote. The subject has been discussed. All in favor—all opposed. Motion carried.

"Are there any further subjects to come before this meeting?"

MR. CAMPBELL: "I wish to emphasize what I said a while ago that we feel tube organizations to say the least, would bear investigation. It seems to me that the Engineering Committee should properly undertake such an investigation. This is offered as a suggestion as I think the matter of tube costs deserves serious consideration."

CHAIRMAN: "Gentlemen, this has been by far the biggest turnout I have seen at any meeting. I think that we have gotten more action started. It is moved that we adjourn."

Motion seconded and carried. 2:35 P. M.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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NRA TRANSCRIPTION PROGRAMS

A series of 24 five-minute dramatic interludes, electrically transcribed, describing the activities and hopes of the NRA will be made available to broadcasting stations for commercial sponsorship in connection with the "BUY NOW" campaign, now being whipped into shape.

The NAB has agreed with the NRA to call attention of broadcasters to the availability of these programs and you should therefore consider this as official notice of the series.

The NRA will make available to newspapers a series of 24 ads which also may be sponsored locally.

Agreement upon the details of the transcription series was reached following conferences between Charles Michelson, director of publicity, and W. B. Dolph, radio chief, both of the NRA, and which were attended by the Managing Director of the NAB.

The programs are to be released two a week for 12 weeks. They are dramatic, attention arresting program interludes that drive home the importance of the "BUY NOW" campaign and are to be recorded from scripts which have been approved by the NRA. They are to be recorded at 78 r.p.m. and will cover nearly every type of business found in the average community.

The NRA does not have funds to pay for the recording cost, but Mr. G. T. Herzog of Washington, D. C., has volunteered to produce the series at a cost of $2.50 per record, the production to be done under the supervision of NRA officials.

Stations desiring to make use of these recordings should communicate at once with Mr. G. T. Herzog, 704 National Press Building, Washington, D. C. The cost is $60.00, plus 5 per cent tax, for the entire series. You may, if you wish, pay for half the series at the time of subscribing and the balance on November 1, 1933, or, have them sent C. O. D., in which case an additional 25 cents per program mailing cost should be added. If you desire to make use of these recordings it is important that you place your order IMMEDIATELY.

NAB CODE HEARING WEDNESDAY

The public hearing on the Code of Fair Competition submitted to the NRA by the National Association of Broadcasters will be held at the Raleigh Hotel at 10 a. m., Wednesday, September 27, with Deputy Administrator Sol A. Rosenblatt presiding.

The NAB Code Committee will hold a meeting on Tuesday, September 26, to consider matters pertaining to the presentation of the broadcasters' case at the hearing. During the week the subcommittee of the Code Committee, consisting of President McCosker, Managing Director Loucks and John W. Guider, counsel, held a series of meetings considering details in connection with the presentation at the public hearing. The NAB Code Committee held a meeting last Monday and considered suggestions offered by members and non-members alike and agreed upon certain changes of a minor nature which will be offered as modifications at the hearing. Principal study is being given to the administrative sections with a view to harmonizing them with the policies of the NRA.

It is likely that conferences between representatives of the industry and labor will be held at the conclusion of the public hearing during which all suggestions offered will be considered.

While there has been little objection to the code from within the industry it is expected that representatives of the American Federation of Musicians, Actors Equity, International Brotherhood of Electrical Workers, and perhaps one or more groups representing phonograph manufacturers and producers will be on hand to testify at the hearing.

At this time it is impossible to state when the code will be finally approved.

BROADCASTERS' GROUPS APPROVE CODE

The Managing Director was notified this week that the broadcasters organizations of Chicago and Los Angeles have approved the Code of Fair Competition as submitted to the NRA by the NAB.

COPYRIGHT EVIDENCE AGAINST ASCAP

In compliance with requests from Oswald F. Schuette, NAB Copyright Director, member broadcasting stations throughout the United States have submitted to him a considerable volume of important evidence of the oppressive copyright methods of the American Society of Composers, Authors and Publishers. Much of this has been obtained from the correspondence files of these stations. Other evidence has been secured from other victims of the ASCAP tactics, such as restaurants, hotels, theatres, and other music users.

This testimony has been collected by Mr. Schuette at the request of the anti-trust and anti-racketeering divisions of the Department of Justice and of the Federal Trade Commission, all of whom are investigating charges against ASCAP. Investigators of the Department of Justice and of the Commission have also visited many stations, although unfortunately it has not been able to send such investigators to all stations.

Stations which have not yet complied with Mr. Schuette's request for such information are urged to search their files at once for correspondence that may reveal the oppressive tactics of ASCAP, as well as to make inquiries in their own communities concerning ASCAP aggression against other enterprises from whom it demands licenses.

CONVENTION PLANS SHAPING UP

Edwin M. Spence, chairman of the NAB Convention Committee, and the Managing Director, will confer over the week end on convention plans. It is hoped that the official program will be completed and ready for announcement early next week.

TO ALL COMMITTEE CHAIRMEN

Chairmen of all NAB Committees will be expected to make reports at the White Sulphur Springs meeting. Each committee report will be listed on the official Convention program. In the event any committee desires to hold a meeting in advance of the opening of the Convention, the chairman should notify his committee members and the Managing Director who will make a meeting room assignment.

IDENTIFICATION CERTIFICATES MAILED

On Friday, September 22nd, every member of the NAB was mailed an identification certificate which will enable him to obtain, when presented to the ticket agent, a round trip railroad ticket to White Sulphur Springs to attend the NAB Convention next month for the price of a one-way ticket plus one-third. If any member has not received his identification certificate, or needs another for some member of his organization, he should write to the Managing Director at once. Full instructions accompanied each certificate, and your ticket agent can no doubt answer any questions which may arise.

NON-MEMBERS INVITED TO CONVENTION

Acting under instructions received from the Board of Directors, the Managing Director has written to all non-member stations inviting them to attend the sessions of the NAB at its annual convention at White Sulphur Springs, October 8, 9, 10 and 11. In view of the desire of the National Recovery Administration to have the National Association of Broadcasters arrange its membership requirements so that all stations can become members, this invitation is particularly significant.

NAME YOUR DELEGATES AND ALTERNATES

There has been mailed to every member a notice, together with a return postcard, addressed to the Managing Director at White Sulphur Springs, pertaining to official representation at the convention in October. It is very important that these post cards be filled out and mailed promptly so that the credentials committee will know whom to recognize from each station.

OF INTEREST TO NEW MEMBERS

The Membership Committee, headed by Sidney H. Bliss, General Manager of WCLO, Janesville, Wisconsin, reports that fifty new members have been obtained since the membership drive was started several weeks ago. For the benefit of these members we desire to announce that they can obtain back numbers of the NAB Reports simply by writing to the Managing Director. Moreover, he has left on hand about a dozen of the black leather five-ring NAB Reports binders, which will be sold to the first applicants at $2.00 each—actual cost.

The handbook to hold the Constitution and By-Laws, the Rules and Regulations of the Federal Radio Commission, the NAB list of all stations by frequency, the Securities Act and Regulations, and other matters which may from time to time be issued in similar form, can be obtained from Remington Rand. These handbooks are described as follows: Size 9 x 6, Style Kazet, Binding B. L. G. Leather, 4¼ Small Bar, Auto Back, Capacity 3", No. 251A1943.

LAFOUNT WANTS MORE LOCAL STATIONS

Commissioner Lafount at the Commission meeting on September 22 presented a resolution to provide more local stations in the country. The resolution was referred to the Legal and Engineering Divisions for a report.

"This would make possible", said Mr. Lafount in discussing the resolution, "the establishing of a few 100-watt stations in communities not now enjoying good radio reception, and would eliminate about thirty existing local stations from quota charge; the object being to more nearly provide equality of radio reception." The resolution is as follows:

"Whereas Section 9 of the Radio Act of 1927 as amended declares—'That the people of all the zones established by Section 2 of the Act are entitled to equality of radio broadcasting service, both of transmission and of reception' and

"Whereas the method prescribed in the same section of the amended Act and intended to produce such equality will in practical application result in equality of transmission but not of reception,

"Therefore I move, that radio broadcasting stations classified at this time by the Commission as 'Local Stations', and emitting 100 watts power or less, be not chargeable to quota, under the Commission's present system of quota charges, providing, however,

"That said station be located at least one hundred miles air line from any station emitting 5,000 or more watts day or night, at least seventy-five miles air line from any station emitting 250 or more watts and less than 5,000 watts day or night, and fifty miles from any station classified by the Commission as local."

APPROVE GADSDEN, ALA., MOVE

The Radio Commission on Friday upheld Former Chief Examiner Ellis A. Yost in his Report No. 485 in which he recommended the granting of the application of Station WJBY, Gadsden, Ala., to reconstruct and operate at a new location in Gadsden. The Commission found in this case that there is a need for the service of a local station in the Gadsden area and that "the applicant's showing as to financial and technical ability is such as to afford reasonable assurance that it is in a position to reconstruct and operate Station WJBY in such manner as to serve the public interest."

WDRC GETS POWER INCREASE

Station WDRC, Hartford, Conn., was granted an increase of power by the Radio Commission from 500 to 1,000 watts sustaining former Chief Examiner Ellis A. Yost in his Report No. 490.

In its decision the Commission found that the quality of the station's service would be improved by the additional power, that no interference would be caused by the increased power, and that "the applicant is prepared and qualified financially, technically and otherwise to make efficient use of the additional power requested."

WGNY GIVEN POWER BOOST

Peter Goelet, owner of Station WGNY, Chester, N. Y., has been granted a power increase of from 50 to 100 watts by the Radio Commission, sustaining Examiner George H. Hill in his recommendation in Report No. 495.

In this case the Commission found that the applicant is rendering a meritorious service, that he is qualified financially and technically to make efficient use of the increased power and that "no substantial amount of interference would be likely to result from the use of the additional power requested."

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Bald Mountain Mining Company, Clinton, Iowa (2-217).
Domestic Finance Company, Kansas City, Mo. (2-214).
General By-Products, Inc., Mason City, Iowa (2-219).
Hunter Baltimore Rye, Inc., Baltimore, Md. (2-218).
Indusrtial Finance and Thrift Corp., New Orleans, La. (2-215).
International Placer Mining Company, Inc., Bellingham, Wash. (2-211).
Mitchell-Hearst Gold Syndicate, Ltd., Toronto, Canada (2-209).
Pointer Brewing Company, Clinton, Iowa (2-213).
Rock River Distillery, Inc., Dixon, Ill. (2-216).
Strange Printing Company, Inc., Wilmington, Del. (2-210).
Wuoga Gas & Oil Corporation, Williamsport, Pa. (2-212).

WPRO GIVEN EXPERIMENTAL LICENSE

Station WPRO, Providence, R. I., asked for special experimental authorization. Recommendation is made in Report No. 506 (G. H. Hill, e.) that the application be granted.

This station operates regularly on 1210 kilocycles with 100 watts power unlimited time and authority is requested to operate experimentally on 630 kilocycles, 250 watts power, unlimited time.

The Examiner found that the station is financially and technically able to continue the operation of the station and to conduct the proposed experiments requested. The Examiner states also that "the proposed operation of Station WPRO would not cause objectionable interference within the service area of any other station."

COURT TO HEAR RADIO CASES

Arguments are scheduled to be heard by the Court of Appeals of the District of Columbia on October 2 in docket No. 5846 of WREC, Inc., vs. the Federal Radio Commission and in cases Nos. 5896 and 5917 of WJJD, Inc., against the Radio Commission.

STAY ORDER IN TELEVISION CASE

The Shortwave and Television Corporation has filed an appeal in the Court of Appeals of the District of Columbia in connection with a decision of the Federal Radio Commission rendered on September 12. The court granted a stay order on September 22.

The appellants complain against the decision of the Commission which denied a license for its experimental television station W1XG and also denied license renewal for its station W1XAU used for transmitting sound in connection with television.

The appeal states that "the finding by the Commission that the operation of the stations has been used as a basis for stock promotion activities out of all proportion to the actual accomplishments or prospects of accomplishment of this applicant is contrary to the facts in the record, capricious and arbitrary in the light of the record."

PROGRAM CLEARING HOUSE

(D 4:3) "YOUNG MILLIONS." Four characters, two men and two women. The program series deals with the adventures of the family of a millionaire lumber man. The principal characters are his daughter and his ward. The daughter is in love with a struggling young writer. She, in turn, is led to believe that the ward is attempting to win him from her. Complications ensue, gangsters kidnap the heiress and melodrama runs its course.

MORE PROGRAMS NEEDED

To date the NAB Program Clearing House has published the summaries of slightly more than fifty programs. The response to these program notes has been highly encouraging, between sixty and seventy inquiries having been received regarding the programs offered. It has been especially interesting to note that inquiries have been received long after the publication of the program notes, showing that station executives are maintaining a file of programs offered and are referring to it when the need arises.

During the past several weeks the number of programs sent to the Clearing House has declined considerably. If the Clearing House is to maintain its momentum and continue its service it is necessary that it be supplied with the necessary program material from stations. Member stations are therefore urged to send to the Program Clearing House any material which they consider might be of value to other broadcasters, and which they are willing to offer to non-competing stations, either for a price or otherwise.

NRA NEWS BROADCASTS SPONSORED

The official NRA daily news service which is now being sent to all non-network stations is rapidly gaining in popularity. Several stations have found advertisers who desire to sponsor this daily feature and have asked permission to do so. The Managing Director has taken up this matter with Mr. W. B. Dolph, director of NRA radio activities, and has been assured that the NRA has no objection to the news service being sponsored.

RADIO AND LIQUOR ADVERTISING

Joseph T. Davis, chairman of the Missouri Council for Liquor Control, is against liquor radio advertising, accordinig to newspaper reports. "I think no liquor advertising should be permitted in moving picture theaters, where young people spend many of their evenings," he said. "For the same reason that it would reach too many young people, I think such advertising should not be permitted over the radio and on billboards and other outdoor advertising."

BRITISH RADIO MONOPOLY ATTACKED

The New York Times, in a London dispatch, points out that Sir Austen Chamberlain, David Lloyd George and Winston Churchill have made a joint complaint against the British Broadcasting Corporation for their non-inclusion in a series of political talks and accused the broadcasting monopoly of discrimination in political radio programs.

RADIO EMPLOYMENT UP IN AUGUST

The employment index number for August in the radio industry was 108.2 compared with 94.1 for July and 63.1 for August of last year taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. Pay roll index number for August was 73.9 compared with 55.7 for July and 44.9 for August of last year.

AFA ON JOB IN WASHINGTON

The Advertising Federation of America, in which the NAB holds membership, recently assigned Mr. Alfred T. Falk, director of the Federation's Bureau of Research and Education, to Washington for the purpose of cooperating with the NRA in handling many problems affecting advertising in Codes submitted by industries. During the week he was a caller at NAB headquarters.

THREE WMT EMPLOYEES KILLED

Howard Harrington, Vern King and Harry Kiester, members of the sales staff of Station WMT, Waterloo, Iowa, were killed in an automobile accident near Denver, Iowa, last Sunday while they were returning from a musical concert which was broadcast by the station.

CREDIT CONDITIONS IMPROVE

Retail credit conditions for the first six months of 1933 were somewhat improved over those of the corresponding period of last year, it is indicated by the early returns in the Department of Commerce seventh semi-annual retail credit survey.

Reports have been received from merchants in seven lines of trade in 25 cities throughout the country. Data has been gathered concerning promptness of payment by consumers, volume of bad debts, volume of returned goods and similar factors.

USED TRANSMITTER WANTED

The Allahabad Agricultural Institute, Allahabad, India, has expressed a desire to secure a radio transmitter of 1 KW to 5 KW power. The current available is 230-400 volts, 50 cycles, and the probable operating frequency is 750 to 1000 kc. It is stated in the inquiry that "the funds available are meagre and it would be a great help if we could get such a set either as a gift or at a reduced price."

Correspondence relative to this inquiry should be addressed to Mr. Marshall T. Jones, Chief, Electrical Division, Bureau of Foreign and Domestic Commerce, Department of Commerce, Washington, D. C.

SECURITIES ACT STOP ORDER

The Federal Trade Commission has issued a stop order against Clyde H. Creighton, Dallas, Texas, oil and gas promoter, who had sought to register under the Securities Act an offering of an interest in an oil and gas lease in the Zwolle Pool of Sabina Parish, Louisiana, the interest to be divided into 1,000 oil and gas assignments. Creighton's registration statement, according to the Commission's order, will not become effective until he has supplied information now lacking, among which was his failure to disclose in his registration statement proper a provision in his security contract which would bind his purchasers of his oil and gas assignments promptly to pay their proportionate shares of certain expenses that Creighton was authorized to incur.

TWO-MINUTE BROADCASTS

An interesting debate as to the relative advantages of programs of various lengths carried on between an advertising agency and important broadcasting station is found in the September issue of *Advertising and Selling*. The debate arises out of the growing tendency toward two- and five-minute spot broadcasts and raises important questions as to future program trends.

It is argued by the agency that the results obtained from the short spot announcements, where well handled, are much more per dollar expended than where time is bought and a program sponsored. It is further claimed that the swiftly changing scene of fifteen-minute programs requires more shifting of attention on the part of the listener than he can negotiate without undue effort. It is the agency's opinion therefore that too many spot announcements and fifteen-minute programs constitute a danger, and that more longer programs would be of benefit to advertiser and broadcaster alike.

The station raises the point that on no spot program, except possibly time or weather reports, can the sponsor ingratiate himself in the mind of the listener as he can through the providing of entertainment. This makes the regular program more advantageous as an advertising device than the spot announcement. The fifteen-minute program objection is answered by the statement that the audience is shifting as constantly as the programs and that this change is desired. On the other hand, says the station, the longer program is more to be desired. Whatever the accuracy of these viewpoints, they provide interesting food for thought.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, September 25, 1933

Hearing before Commission en banc

(Continued from Sept. 8)

WLWL—Missionary Society of St. Paul the Apostle, New York, N. Y.—Modification of license; **1100 kc.,** 5 KW, unlimited time. Present assignment, **1100 kc.,** 5 KW, specified hours.

WPG—WPG Broadcasting Corp., Atlantic City, N. J.—Renewal of license; **1100 kc.,** 5 KW, specified hours.

Hearing before Examiner

NEW—Willard G. Demuth, Uhrichsville, Ohio—CP, **1370 kc.,** 100 watts, daytime.

Tuesday, September 26, 1933

WLCI—Luthern Association of Ithaca, Ithaca, N. Y.—Renewal of license; **1210 kc.,** 50 watts, 10:45 a. m. to 12:15 p. m. Sundays only.

Wednesday, September 27, 1933

Oral Argument before Commission en banc

WILL—University of Illinois, Urbana, Ill.—Modification of license; **890 kc.,** 250 watts, 1 KW LS, share with KUSD, KFNF (facilities of WKBS). Present assignment, **890 kc.,** 250 watts, 500 watts LS; shares with KUSD, KFNF.

Hearing before Examiner

NEW—Wyoming Broadcasting Co., Cheyenne, Wyo.—CP, **780 kc.,** 500 watts, 1 KW LS, unlimited time.

Friday, September 29, 1933

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Modification of license; **1370 kc.,** 100 watts, unlimited time. Present assignment, **1370 kc.,** 100 watts, specified hours.

APPLICATIONS GRANTED

WBZA—Westinghouse Electric and Manufacturing Co., Springfield, Mass.—Granted license covering changes in equipment; **990 kc.,** 1 KW, unlimited time, when synchronized with WBZ.

KGFX—Dana McNeill, Pierre, S. Dak.—Granted license, **630 kc.,** 200 watts, specified hours (9:30 a. m. to local sunset).

WOAI—Southern Equipment Company, San Antonio, Tex.—Granted modification of license to change corporate name only to Southern Industries, Inc.

KLCN—Charles Lee Lintzenich, Blytheville, Ark.—Granted Modification of CP extending completion date to November 1, 1933.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted authority to operate Tuesday, October 10, to 11 p. m., and Wednesday, October 11, to 2 a. m., October 12, EST, simultaneously with KPO, San Francisco.

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Granted authority to operate the following hours in addition to licensed specified hours, in order to broadcast football games: September 30, 1 to 5 p. m.; October 7, 1 to 5 p. m.; October 14, 21, 28, same hours; November 4, 11, 18, 25, 30, same hours—1 to 5 p. m.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authorization to operate from 10 p. m. to 12 midnight, CST, October 20 and 21, 1933.

WICC—The Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted special temporary authorization to operate from 7 to 8 p. m., EST, October 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 1933, provided station WCAC remains silent.

WEHC—Community Broadcasting Corp., Charlottesville, Va.—Granted license covering move of station from Emory to Charlottesville; **1350 kc.**, 500 watts, daytime hours.

WMBH—W. M. Robertson, Joplin, Mo.—Granted authority to cancel request to broadcast World Series games, because of inability to obtain programs except at excessive price.

WPTF—WPTF Radio Company, Raleigh, N. C.—Granted authority to operate September 22 until 2 a. m., EST, simultaneously with KPO.

WHP—WHP, Inc., Harrisburg, Pa.—Granted special temporary authorization to operate from 2 to 2:30 p. m., EST, October 10, 11, 12 and 13, provided WBAK remains silent.

WBAK—Pennsylvania State Police, Commonwealth of Pennsylvania, Harrisburg, Pa.—Granted special temporary authorization to operate from 4:30 to 5 p. m., EST, October 10, 11, 12 and 13, provided station WHP remains silent.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authorization to operate from 2:30 to 5:30 p. m., CST, September 30, provided station KGGF remains silent; also granted temporary authorization to operate from 2:30 to 5:30 p. m., CST, October 21, November 4, and November 30, 1933, provided station KGGF remains silent.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authorization to operate from 3 to 6 p. m. and 9 p. m. to 12 midnight, CST, on September 23 and 29; October 7, 13, 20 and 27; November 4 and 11.

SET FOR HEARING

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license to change hours of operation from daily except Sunday, 7 a. m. to 1 p. m.; 5 to 8 p. m.; Sunday, 9 a. m. to 6 p. m., CST, to daily except Sunday, 8:30 a. m. to 1 p. m.; 5:30 to 10 p. m.; Sunday, 9 a. m. to 6 p. m.

NEW—Church of Christ (T. C. White, business manager and operator), Stamford, Tex.—CP for new station, **1200 kc.**, 100 watts, daytime hours; requests application be considered under Rule 6 g.

KIEM—Harold H. Hanseth, Eureka, Calif.—Special temporary experimental authority to increase daytime hours of operation to daytime plus the night hours from local sunset to 10 p. m., EST, until December 1, 1933, pending action on application for authority to increase time to unlimited.

WHOL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Special authority to operate until 7 p. m. during September and October.

ORAL ARGUMENTS

In the case of WQDM, St. Albans, Vt.; WFEA, Manchester, N. H.; WRDC, Augusta, Maine; Casto Bay Broadcasting Co., Portland, Maine; and The Portland Maine Publishing Co., scheduled for oral argument on September 27, the oral argument was continued to November 8, 1933.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WRDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—CP, **1290 kc.**, 250 watts, daytime (facilities of WNBZ).

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license, **1310 kc.**, 100 watts, change in specified hours.

APPLICATIONS RECEIVED

First Zone

None.

Second Zone

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Modification of license to increase power from 500 watts to 1 KW.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Construction permit to move auxiliary transmitter to present location of main transmitter.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Construction permit to make changes in last radio stage.

Third Zone

WPFB—W. E., F. E., and P. L. Barclift, d/b as Hattiesburg Broadcasting Co., Hattiesburg, Miss.—Construction permit to move transmitter and studio to 518-520 24th Ave., Tuscaloosa, Ala., amended re proposed transmitter location, 1½ miles west southwest of Tuscaloosa, Ala.

WSMB—WSMB, Inc., New Orleans, La.—Construction permit to move transmitter from New Orleans to U. S. Naval Station, Algiers, La.

NEW—Ark-La-Tex Radio Corp., Shreveport, La.—Construction permit for new station to be located at 219 Milam St., Shreveport, La., to use **1210 kc.**, 100 watts, unlimited time. Requests facilities KWEA, Shreveport, La.

NEW—Ark-La-Tex Radio Corp., Tuscaloosa, Ala.—Construction permit for new station to be located at 603 Greensboro Ave., Tuscaloosa, Ala., to use **1310 kc.**, 100 watts, unlimited time. Requests facilities WAML, Laurel, Miss.

NEW—Earl Marvin Nail, Lubbock, Tex.—Construction permit for new station to use **1310 kc.**, 100 watts, share KFYO (facilities KFYO, Lubbock, Tex.).

WKFI—J. Pat Scully, Greenville, Miss.—Construction permit to move transmitter and studio from Greenville to Greenwood, Miss., resubmitted properly executed.

Fourth Zone

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Modification of construction permit to make changes in equipment.

NEW—Central Broadcasting Co., Devenport, Iowa—Construction permit for new station to use **1310 kc.**, 100 watts, unlimited hours, facilities WIAS, Ottumwa, Iowa, amended to request change of hours to unlimited day, specified hours night (8 p. m. to 10 p. m. Monday, Wednesday, Friday and Saturday, and 8 p. m. to midnight Tuesday, Thursday and Sunday).

WHB—WHB Broadcasting Co., Kansas City, Mo.—Extension of special experimental authorization to use **1120 kc.**, 500 watts, from 12 midnight to 6 a. m. from 9-28-33 to 2-1-34.

KFDY—South Dakota State College, Brookings, S. Dak.—Modification of license to change frequency from **550 kc.** to **780 kc.** to permit KFYR unlimited time on **550 kc.**

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Modification of license to change hours from specified to unlimited.

WLBC—Donald A. Burton, Muncie, Ind.—Construction permit to make changes in equipment and increase power from 50 watts to 50 watts night, 100 watts to local sunset.

Fifth Zone

KWFV—Hilo Broadcasting Co., Ltd., Hilo, Hawaii—Modification of construction permit granted 6-30-33 to extend date of commencement to 12-1-33 and date of completion to 2-1-34.

NEW—G. M. Duntley, San Francisco, Calif.—Construction permit for new station to use **930 kc.**, 500 watts, share with KROW, Oakland, Calif. Requests facilities KFWI, San Francisco, Calif. Resubmitted with corrections made.

NEW—Fred W. Christian, Jr., and Raleigh W. Whiston, "Christian and Whiston," Norco, Calif.—Construction permit for new station to be located at Lake Norconian Club, Norco, Calif., to use **1280 kc.**, 500 watts, unlimited time. Requests be considered under Rule 6 g.

APPLICATIONS RETURNED

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Construction permit for authority to change frequency and increase power from **1310 kc.**, 100 watts night, 250 watts to local sunset, to **630 kc.**, 500 watts, and make changes in equipment (Rule 6 c and d).

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to move station to Durham, N. C., change frequency from **1200 kc.** to **1500 kc.** Facilities to be withdrawn from Alabama to North Carolina (Rule 6 a, c and d).

WKFI—J. Pat Scully, Greenville, Miss.—Construction permit to move station from Greenville to Greenwood, Miss. (Notarial Seal omitted.)

NEW—J. H. Squires and A. E. Cullum, Jr., Dallas, Tex.—Construction permits for one new station to be located in Dallas, Tex., to use **1200 kc.**, 100 watts, daytime. (2994) requests facilities withdrawn from KGKL, San Angelo, Tex.; (2995) requests facilities withdrawn from KFYO, Lubbock, Tex. (Rule 5 alternate facilities requested.)

NEW—Metro Broadcasting Co., A. Tornek and R. Lillie, East Los Angeles, Calif.—Construction permit for new station to use **820 kc.**, 100 watts night, 250 watts to local sunset, hours limited time. (Rule 77, 109D (e), and insufficient information on proposed transmitter location.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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JULY BROADCAST ADVERTISING VOLUME

First Report of the NAB Statistical Service

A total of $3,918,441.00 was spent by American business for radio broadcast advertising during July of the current year. This is the first time in the history of the broadcasting business that comprehensive information regarding total broadcast advertising volume has been available, thus filling a long recognized need in the radio field. Information on which July figures are based was collected from national networks and from a carefully selected sample of individual stations, representing every class of broadcasting station and every section of the country.

Response to the NAB inquiries as to volume of business has been splendid on the part of stations which have been asked to cooperate. It is to be regretted that the July report was delayed in preparation by virtue of the great amount of statistical work made necessary by the preparation and submittal of the Code of Fair Competition for the Broadcasting Industry. However, the August report will be available shortly after the close of September. Since the data presented is as of the last day of the month covered by the report, this means that information made available by the service will be no more than thirty days old. It also is planned to extend the number of stations furnishing information during the coming months.

The relative amount of money spent for broadcast advertising over national networks, regional networks and individual stations is found in Table I.

TABLE I

RADIO BROADCAST ADVERTISING VOLUME

(July 1933)

Class of Business	*Gross Receipts for Month*
National network companies	$1,809,473.00
Regional networks	16,069.00
Individual stations	2,092,899.00
Total	$3,918,441.00

The receipts in the preceding tables, as in this and all following reports, are for the sale of time only, and represent gross sums prior to the subtraction of any discounts.

A comparison of the volume of broadcast advertising with advertising in other major media is found in Table II.

TABLE II

ADVERTISING VOLUME MAJOR MEDIA

(July 1933)

Advertising Medium	*Gross Receipts for Month*
Radio broadcasting	$3,918,441.00
National magazines(1)	6,096,540.00
National farm papers	236.505.00
Newspapers(2)	32,450,000.00
Total	$42,701,486.00

The volume of non-network broadcast advertising placed over stations of different classes of power and situated in different sections of the country are found in Tables III and IV. Several comments are necessary regarding these tables. In the case of both the power and geographical classifications, the varying number of stations in each class must be borne in mind. In the case of the table showing the receipts of stations of different classes of power, it should be noted that extremely wide variations exist in gross revenues of stations of any given class. These variations are so great as to indicate that there is no general correlation between a station's power and its revenues. The real value of the table is to show the general economic position of certain broad classes of stations as a whole.

TABLE III

NON-NETWORK BROADCAST ADVERTISING BY POWER OF STATION

(July 1933)

Power of Station	*Gross Receipts for Month*
Over 5,000 watts	$960,795.00
2,500—5,000 watts	288,980.00
250—1,000 watts	668,535.00
100 watts and under	174,589.00
Total	$2,092,899.00

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

(July 1933)

Geographical District	*Gross Receipts for Month*
New England—Middle Atlantic Area	$589,655.00
South Atlantic—South Central Area	272,031.00
North Central Area	712,529.00
Pacific and Mountain Area	518,684.00
Total	$2,092,899.00

The relative volume of individual station business accruing from national spot accounts and from local sponsors of broadcast advertising is found in Table V. In this table, national spot business is defined as that which is secured from non-local sponsors, the same basis being employed as in the case of national and local newspaper business.

TABLE V

COMPARISON NATIONAL SPOT AND LOCAL BROADCAST ADVERTISING

(July 1933)

Class of Business	*Gross Receipts for Month*
National spot	$735,543.00
Local	1,357,356.00
Total	$2,092,899.00

The relative volume of electrical transcription, live talent, record, and spot announcement business placed during July over individual stations throughout the country is found in Table VI.

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(1) National magazine figures are on the basis of 108 periodicals, the summaries being prepared by Publishers' Information Bureau, Inc., from which national network and farm paper summaries also are secured. The magazine figure represents August monthlies, due to the method used by the Bureau.

(2) Newspaper money expenditures are based upon estimates made by the service.

TABLE VI

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

(July 1933)

Type of Rendition	*Gross Receipts for Month*		
	National Spot	*Local*	*Total*
Electrical transcriptions	$240,341.00	$82,555.00	$322,896.00
Live talent programs	232,780.00	700,800.00	933,580.00
Records	3,742.00	77,581.00	81,323.00
Spot announcements	258,680.00	496,420.00	755,100.00
Total	$735,543.00	$1,357,356.00	$2,092,899.00

A form of business recently to attain some prominence in the local broadcast advertising field is the so-called participation. By participation is meant a program sponsored jointly by two or more sponsors who pay for it at the regular time rate rather than at the rate for spot announcements, and whose respective pieces of advertising continuity are inserted into the program. The volume of this business is found in Table VII.

TABLE VII

PARTICIPATIONS OVER INDIVIDUAL STATIONS

(July 1933)

Type of Rendition	*Gross Receipts for Month*
Electrical transcriptions	$110.00
Live Talent	60,610.00
Records	20,220.00
Total	$80,940.00

The volume of national and regional network and individual station advertising placed by various major industrial and business groups is found in Table VIII.

A few comments should be made as to what is contained within the various classifications and as to the nature of companies actually found in the different industrial groups. Automobile advertising is obvious as to its nature. Gasoline, oil and accessory advertising on networks centers almost exclusively in the two

TABLE VIII

RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(July 1933)

Type of Sponsoring Business	*Gross Receipts*			
	National Network	*Regional Network*	*Individual Station*	*Total*
1–2. Automobiles and accessories:				
(1) Automobiles	$96,016.00	—	$94,294.00	$190,310.00
(2) Accessories, gasoline and oils	245,407.00	$4,250.00	207,990.00	457,647.00
3. Clothing and apparel	8,910.00	1,125.00	143,860.00	153,895.00
4–5. Drugs and toilet goods:				
(4) Drugs and pharmaceuticals	154,030.00	1,590.00	194,415.00	350,035.00
(5) Toilet goods	305,899.00	—	133,400.00	439,299.00
6–8. Food products:				
(6) Foodstuffs	327,344.00	5,790.00	332,540.00	665,674.00
(7) Beverages	225,816.00	—	75,758.00	301,574.00
(8) Confections	3,488.00	—	29,899.00	33,387.00
9–10. Household goods:				
(9) Household equipment and furniture	23,305.00	—	111,580.00	134,885.00
(10) Soap and kitchen supplies	63,794.00	2,140.00	48,523.00	114,457.00
11. Insurance and financial	79,110.00	—	60,633.00	139,743.00
12. Radios	46,717.00	—	13,245.00	59,962.00
13. Retail establishments	—	—	187,750.00	187,750.00
14. Tobacco products	162,355.00	—	6,377.00	168,732.00
15. Miscellaneous	67,282.00	1,174.00	452,635.00	521,091.00
Total advertising volume	$1,809,473.00	$16,069.30	$2,092,899.00	$3,918,441.00

TABLE IX

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

Type of Sponsoring Business	*Gross Receipts July, 1933*		
	National Spot	*Local*	*Total*
1–2. Automobiles and accessories:			
(1) Automobiles	$47,671.00	$46,623.00	$94,294.00
(2) Accessories, gasoline and oil	95,721.00	112,269.00	207,990.00
3. Clothing and apparel	20,350.00	123,510.00	143,860.00
4–5. Drugs and toilet goods:			
(4) Drugs and pharmaceuticals	104,490.00	89,925.00	194,415.00
(5) Toilet goods	114,901.00	18,499.00	133,400.00
6–8. Food products:			
(6) Foodstuffs	119,380.00	213,160.00	332,540.00
(7) Beverages	18,436.00	57,322.00	75,758.00
(8) Confectionery	26,195.00	3,704.00	29,899.00
9–10. Household goods:			
(9) Household equipment and furniture	18,518.00	93,062.00	111,580.00
(10) Soap and kitchen supplies	33,606.00	14,917.00	48,523.00
11. Insurance and financial	10,431.00	50,202.00	60,633.00
12. Radios	642.00	12,603.00	13,245.00
13. Retail establishments	12,450.00	175,300.00	187,750.00
14. Tobacco products	517.00	5,860.00	6,377.00
15. Miscellaneous	112,235.00	340,400.00	452,635.00
Total advertising volume	$735,543.00	$1,357,356.00	$2,092,899.00

former classes of goods. Clothing and apparel not only includes clothing proper, but furs, haberdashery, and similar products. Drugs and pharmaceuticals include all drug products, and proprietary remedies or health products other than articles which are definitely foodstuffs. Beverages include coffee and tea, soft drinks and beer. Confections include the item of chewing gum which is so classified in the national classifications used by other media. Household equipment includes electrical equipment such as wash machines, cleaners and similar articles as well as articles of furniture. Soaps and kitchen supplies are comprised almost entirely of soaps and cleaners. Insurance and financial advertising includes that of banks, loan companies and similar organizations as well as of insurance companies. Retail establishments include only those retail concerns, such as department stores and general stores not concentrating upon any one class of product. All other retail shops have been grouped under the class of commodity which they handle principally. This will be discussed at more length in the interpretation of the national spot and local advertising volume of different products. Tobacco products include all smoking materials.

The composition of the national network classifications require no particular comment. Of greater interest, however, is an analysis of the relative amounts spent on national spot and local broadcast advertising by different industrial groups. This is found in Table IX.

The accessory business of national spot accounts is composed primarily of gasoline and oil advertising, while that of local accounts centers on garages, service and repair shops. Local clothing and apparel business is comprised of clothing stores, fur shops to a considerable degree, women's dress shops, lingerie shops and similar establishments. National spot drug advertising is almost entirely proprietary medicines or health drinks, while local business is concentrated principally in sponsorship of announcements or participations by drugs stores. Local foodstuffs advertising is mainly that of grocery distributors, meat markets and similar retailers. National spot beverage advertising is mainly with regard to coffee and soft drinks, local advertising with respect to beer. Chewing gum is the principal item in national spot confectionery business. Furniture stores are the principal local advertisers in the local household equipment field. Soaps are the leading advertisers in both the national spot and local fields with regard to their classification of product. Savings banks and loan companies loom most important in local financial advertising, and insurance and credit companies in the national spot field.

One item of particular interest has been the *concentration of accounts* in certain fields found on many local stations. It is surprising the number of stations which do not seem to be culling thoroughly the potential market for radio broadcast advertising in their localities. One station, for instance, may have a large number of beauty parlor accounts, and another be particularly successful with grocers. The former may have overlooked the grocery market and the latter the beauty parlor market. This general trend with regard to all types of advertisers, was one of the most noticeable features of the reports received from stations. It points to the conclusion that it would be profitable for many stations to review their business in an effort to determine whether they were actually covering their potential market for radio broadcast advertising.

Analysis of general trends over a period of time is possible only with respect to network advertising, since the July figures are the first ones to be collected for individual station advertising. The monthly revenues derived from various types of industry by national networks during the current year are found in Table X. A comparison also is made in the table between the monthly totals for 1933 and those of the two previous years.

The general trend with regard to network radio broadcast advertising and advertising over other media is as follows: For July 1933 network advertising was 25% behind that of the same month of the previous year. National magazine advertising in July of this year lagged 11% behind 1932. Encouragement was to be found in the farm paper field where a gain of 6% over last year was experienced. This trend should be duplicated to some extent in broadcasting stations serving the rural field. At least it points to an opportunity for trade promotion. For the first seven months of 1933 national network advertising is behind 1932 by 33%, magazines by 26%, national farm papers by 31% and newspapers by 17%. In the broadcasting field encouragement is to be found in the fact that in June network advertising lagged approximately 31% behind 1932, and 39% in May. July therefore shows a decidedly improved position. National network volume is approximately 15% below the first seven months of 1931.

The decline in national network business seems to be due to general business conditions rather than any competitive situation The heaviest declines in revenue have been almost without exception in the industries which have felt the depression most severely, or in fields such as tobacco where a fierce price war unfavorably affected advertising expenditures. Encouragement is to be found in a 15% increase in gasoline and oil advertising over networks as compared with 1932.

The usual review of business conditions has been omitted in this month's report in view of the summary of trade development printed in last week's NAB Reports which covers this period. Broadcasters will note with interest the preliminary report of the Federal Reserve Board for August which shows a 16% increase in department store sales as compared with the same month last year. Increases were as follows: Boston, 16%; New York, 9%; Philadelphia, 17%; Cleveland, 42%; Richmond, 22%; Atlanta, 25%; Chicago, 21%; St. Louis, 23%; Minneapolis, 12%; Kansas City, 21%; Dallas, 29%; and San Francisco, 2%.

TABLE X

NATIONAL NETWORK BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

(July 1933)

Type of Sponsoring Business	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*Jan.-July Cumulative*
1-2. Automobiles and accessories:								
(1) Automobiles	$117,476	$123,096	$170,005	$111,164	$108,934	$ 89,716	$ 96,016	$799,677
(2) Auto accessories	377,800	326,638	326,865	284,024	316,395	261,283	245,407	2,141,522
3. Clothing	30,193	36,885	46,593	51,627	52,900	21,993	8,910	251,116
4-5. Drugs and toilet goods:								
(4) Drugs	231,562	212,558	260,452	209,116	205,545	195,004	154,030	1,521,600
(5) Toilet goods	456,967	431,244	442,052	405,180	367,634	339,589	305,899	2,776,823
6-8. Food products:								
(6) Foodstuffs	475,332	451,087	606,784	484,529	448,245	371,253	327,344	3,172,315
(7) Beverages	275,404	234,280	249,961	273,217	262,588	250,961	225,816	1,820,349
(8) Confections	101,067	89,707	107,599	92,937	19,023	7,266	3,488	421,087
9-10. Household goods:								
(9) Household equipment and furniture	32,103	50,182	77,401	43,079	43,765	16,383	23,305	286,218
(10) Soaps and kitchen supplies	110,472	95,900	116,601	76,626	80,221	71,158	63,794	538,573
11. Insurance and financial	84,606	75,529	85,871	82,370	85,870	92,721	79,110	586,077
12. Radios	39,160	35,600	57,275	35,600	44,491	44,261	46,717	303,104
13. Retail establishments	......	......	......	......	......	......	......	......
14. Tobacco products	355,549	334,230	364,249	239,278	206,870	241,288	162,355	1,909,289
15. Miscellaneous	97,039	100,244	92,422	74,223	51,223	62,319	67,282	537,223
Total advertising volume (1933)	$2,784,730	$2,597,180	$3,004,130	$2,462,970	$2,293,704	$2,065,195	$1,809,473	$17,064,973
Total advertising volume (1932)	$3,984,289	$3,891,023	$4,300,833	$4,004,484	$3,632,442	$2,997,296	$2,416,616	$25,226,988
Total advertising volume (1931)	$2,637,000	$2,591,000	$3,141,000	$3,164,000	$3,036,000	$2,835,000	$2,764,000	$20,168,000

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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NAB CODE HEARING

Hearings on the code of fair practice for the radio broadcasting industry opened before the NRA with Deputy Administrator Sol A. Rosenblatt presiding. The Deputy Administrator prefaced the hearing of witnesses by announcing that he refused to accept the so-called merit clause of the code which provides for the selection, retention and advancement of employes on the basis of individual merit.

Alfred J. McCosker, president of the National Association of Broadcasters, was the first speaker and stated that his Association includes less than half of the total number of licensed stations. He claimed, however, that this membership does over 81 percent of the industry's total volume of commercial business.

McCosker stated that at the White Sulphur Springs convention of the Asssociation early in October, revision of its by-laws would be made to permit smaller stations to join the Association at a nominal cost. This he expected would bring into the only trade association in the industry most of the present non-member stations.

Of the 586 American broadcasting stations 397 operate simultaneously at night, McCosker said. More than 50 percent of these stations do a total business of $3,000 a month or less, he said.

John W. Guider, special code counsel for the Association, also expressed the view that broadcasting is a small industry from the economic viewpoint. The general depression, he said, found broadcasting still in its formative state. Since 1927 annual expenditure by advertisers has increased from $3,832,150 to $39,106,776. In 1931, expenditures for radio advertising time over both networks and individual stations, totalled more than $70,000,000, Guider estimated, but added that the only available statistics indicate that the industry as a whole has not as yet operated at a profit.

The complexity of the industry's problems were indicated by the great number of small local stations, where the addition of only one transmitter operator may mean a fifty percent increase in the station's technical staff. The local broadcaster also suffers from a lack of financial reserves and his problem is further complicated by decreased revenues.

Compliance with the proposed code, Guider said, would increase by 765 the 11,000 employes now on a full-time basis in the industry. This does not include radio talent, he added. Guider estimated that total payrolls under the proposed code will be more than double those of 1929 and estimated the total increase at $1,328,000 a year.

Mrs. Annette R. Bushman, vice president of Allied Productions, Inc., stated that her organization was a new one in the program-production field and pointed out that there were no provisions in the code covering radio talent. She proposed that the code should take cognizance of this condition by an amendment providing minimum rates of pay for actors and musicians.

J. N. Weber, president of the American Federation of Musicians, presented a brief in behalf of musicians and supporting an agreement reached with the NAB committee under which musicians are exempted from the code. He was assured by Deputy Administrator Rosenblatt that this agreement would be taken care of in the code.

Hoyt S. Haddock, president of the American Radio Telegraphists Association, urged that maximum hours in the code should be 36 a week with not more than 8 hours' continuous work in any 24. He also recommended double time for overtime.

Deputy Rosenblatt elicited from Haddock the information that his association comprised 76 paid-up members and that a majority were marine operators. About 18 percent, Haddock said, were in the broadcasting business.

E. H. Rietzke, of the Capitol Radio Engineering Institute, stated that salaries in the proposed code are too low.

T. R. McLean, International Brotherhood of Electrical Workers, stated that the proposed code represents only the business side of the industry. He contended that it is in fact a public utility and is so regarded and regulated in other countries.

McLean recommended the same rates of pay for the smaller stations, with $40 a week pay for 40 hours work. He claimed that some stations had a workweek of 84 hours. This practice keeps an employe tied to his station for as long as 16 hours a day, he said. McLean asked that the code authority include representatives of both government and labor.

Frank Gillmore, president of the Actors' Equity Association, said that of the 1,869 actors in the radio industry, 1,078 were members of Equity. Gillmore listed as one of the major abuses of the industry the practice of requiring rehearsals and auditions without pay.

Gillmore urged the elimination of free auditions, contending that "this has become a very startling abuse." Sometimes six or more free auditions are given to prospective purchasers of a program, he said. Gillmore also recommended abolition of free appearances on the radio describing these as simply a means of self-exploitation.

Ben F. Goldstein, representing the Chicago Federation of Labor, owner and operator of station WCFL, stated that the code as proposed would prevent increase of employment in the industry and would concentrate monopolistic control under the big networks and their affiliates. WCFL paid its employes $1.25 an hour, considerably above the average for the industry, Goldstein said.

H. A. Huebner, counsel for the American Record Corporation and Brunswick Record Corporation, asked that it be made an unfair practice to broadcast records without the written consent of the manufacturers of such records. He said that records are being used throughout the United States without adequate compensation to the manufacturer, who sells these records at only a few cents profit and finds they are broadcast indiscriminately. Their constant repetition on broadcasts greatly reduces the sales value of the discs, Huebner said. He attributed the decline in the sales of records to 29 percent of the average a few years ago largely to their being broadcast constantly. On many small stations, records constitute 100 per cent of the programs, he claimed.

Deputy Administrator Rosenblatt asked Huebner, if he had attempted "in any way up to the present time to seek to regulate that so-called evil."

"We have sir," Hubner replied. "We have placed on our records a notice 'not licensed for broadcasting.' "

"I have made a further effort," he said. "About a year ago I called upon Mr. Loucks, who is present here, and approached him on behalf of the same corporations that I now represent. I told

Hear About Broadcasters' Code at White Sulphur Springs, Oct., 8, 9, 10, 11

him I wanted to discuss the situation and see whether this thing could not be ironed out in some way between the record manufacturers and the National Association of Broadcasters. Mr. Loucks, in his very engaging way, received me courteously, treated me nicely, but defied me to do anything about it."

"That is as far as it went, is it?" asked Deputy Administrator Rosenblatt.

"Yes sir," Hubner replied.

Albert E. Haase, consultant for the Association of National Advertisers, representing the majority of all large advertisers, stated that in radio the principal interest of the advertiser was in the show and in the actors. The advertisers, he pointed out, wanted to see that the money paid by them actually reached the actors and did not want pyramided commissions. Numerous advertisers have complained, Mr. Haase said, that they had to pay "commissions on commissions." The advertisers' success in radio depended entirely upon the quality of the performance, Haase said. The result of the pyramided commissions practice was that the actor did not get the amount he or she was supposed to receive. Such practices, he contended, led to unhappiness among the radio performers and tended to vitiate the quality of the show.

Haase said that actors should not be paid any uniform rate. Pay should be proportionate to skill and radio personality.

Emily Holt, attorney for Actors Equity Association, submitted a proposed actors' code. It would establish minimum rates of pay for the actor for several types of broadcasts and defines a performance as 3½ hours in duration, including rehearsal time.

The actors' code also aims at another alleged abuse in the industry by providing that "the administrative, operating and studio staff of a station shall not participate as artists in a program employing professional artists." Minimum wage for extras is set at $5 per performance.

The artists' code further provides that auditions given for a prospective buyer of a program must be paid for by that prospective buyer at the rate of one-half the rate for an actual broadcast.

Alice M. Edwards, executive secretary of the American Home Economics Association, recommended the inclusion in the code of a provision under which no network would knowingly broadcast false, misleading or ambiguous statements of articles which by such misrepresentation, might impair the public health.

Immediately following the public hearing, Deputy Rosenblatt called all interested parties into conference to consider the various proposals offered at the hearing. These conferences continued Wednesday night, Thursday and Friday and are still in progress at the time this issue of NAB REPORTS goes to press. No definite conclusions have as yet been reached.

Judge Eugene O. Sykes, chairman of the Federal Radio Commission, attended the hearing as special advisor to the deputy administrator. Others who were on the bench with the deputy administrator were James W. Baldwin, industrial advisor; John Shepard III, Boston, Mass, special advisor; G. A. Renard, consumer advisor; Edward Nockels, labor advisor; L. M. C. Smith, legal advisor; and Donald K. Wallace, research and planning advisor.

The NAB Code Committee, consisting of Alfred J. McCosker, president of the NAB and chairman of the Committee; Philip G. Loucks, NAB Managing Director; Frank M. Russell, Ralph Colin, I. Z. Buckwalter, John Elmer, G. A. Richards, John W. Guider, John Shepard III, were present at the hearings. Quin Ryan, the tenth member of the Committee, was unable to attend.

A meeting of the NAB Code Committee was held on Tuesday, the day before the hearing, and agreed upon matters concerning the presentation of the testimony.

Meetings of the NAB Code Committee will be resumed in Washington next Tuesday at which time it is hoped reports on the conferences will be ready for consideration.

THE CODE AND THE CONVENTION

With prospects that the broadcasters' code will be ready for approval late next week, indications are that a record crowd will attend the annual NAB convention to be held at White Sulphur Springs, W. Va., October 8, 9, 10 and 11. Work on the code is being expedited in order that it will be ready for announcement before the time of the meeting in order that all broadcasters may have an opportunity to get first hand information about it during the convention.

Every station received a copy of the official NAB program in the mail during the week. Read this program carefully and you will see that a major portion of the time will be devoted to business sessions in which free discussion is anticipated.

Stations desiring to have exhibits or displays of promotional material should make arrangements direct with the hotel.

The hotel rate for the convention is $10 a day on the American plan although accommodations may be had on the European plan, the rooms costing around $5.

The registration fee will be $5 and this fee will include the banquet.

NRA TRANSCRIPTIONS FOR SPONSORSHIP

Release dates for the 24 electrically transcribed NRA program interludes have been announced from the office of W. B. Dolph, radio director of the NRA. Since this campaign is to start the week of October 8 it is absolutely necessary that orders be placed IMMEDIATELY by stations who desire to take advantage of this series.

Herewith is the schedule of release dates, together with the subjects treated, which will indicate the local clients to whom the programs may be sold. Some stations are selling the transcription as just a five-minute program, while others are suggesting fifteen- and thirty-minute programs in which the NRA transcription is spotted. No restrictions have been made as to the price for which these transcriptions can be sold. Each transcription is a forceful and dramatic stimulus to "BUY NOW," built directly around the specific commodity which is the subject of the particular episode.

SCHEDULE AND SUBJECTS

Week of Oct. 8—Interlude No. 1. Subject: "Furniture." Interlude No. 2. Subject: "Musical Instruments."

Week of Oct. 15—Interlude No. 3. Subject: "Ladies Ready to Wear." Interlude No. 4. Subject: "General."

Week of Oct. 22—Interlude No. 5. Subject: "Mens Suits and Overcoats." Interlude No. 6. Subject: "Women's and Children's Shoes."

Week of Oct. 29—Interlude No. 7. Subject: "Labor Saving Devices." Interlude No. 8. Subject: "Home Improvements."

Week of Nov. 5—Interlude No. 9. Subject: "Foodstuffs." Interlude No. 10. Subject: "White Goods."

Week of Nov. 12—Interlude No. 11. Subject: "Refrigeration." Interlude No. 12. Subject: "Yard Goods."

Week of Nov 19—Interlude No. 13. Subject: "Drugs and Drug Store Products." Interlude No. 14. Subject: "Real Estate."

Week of Nov. 26—Interlude No. 15. Subject: "Cosmetics and Toiletries." Interlude No. 16. Subject: "Men's Hats."

Week of Dec. 3—Interlude No. 17. Subject: "Automobiles." Interlude No. 18. Subject: "Home Heating."

Week of Dec. 10—Interlude No. 19. Subject: "Men's Wear." Interlude No. 20. Subject: "Kitchen Replacements."

Week of Dec. 17—Interlude No. 21. Subject: "Culture and Amusement." Interlude No. 22. Subject: "Children's Wear."

Week of Dec. 24—Interlude No. 23. Subject: "Women's Stockings and Lingerie." Interlude No. 24. Subject: "Tableware."

The NRA does not have funds to pay for the recording cost, but Mr. G. T. Herzog of Washington, D. C., has volunteered to produce the series at a cost of $2.50 per record, the production to be done under the supervision of NRA officials.

Stations desiring to make use of these recordings should communicate at once with Mr. G. T. Herzog, 704 National Press Building, Washington, D. C. The cost is $60.00, plus 5 per cent tax, for the entire series. You may, if you wish, pay for half the series at the time of subscribing and the balance on November 1, 1933, or, have them sent C. O. D., in which case an additional 25 cents per program mailing cost should be added. If you desire to make use of these recordings it is important that you place your order IMMEDIATELY.

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Accumulative Royalties Corp., Tulsa, Okla. (2-221)
Central Idaho Mining & Milling Company, Seattle, Wash. (2-225)
Cram's, Inc., Portland, Ore. (2-224)
Eagle Bird Mine, Inc., New York City. (2-227)
Faith Oil Corporation, Wichita Falls, Kans. (2-226)
Gulf Coast Water Company, Bay City, Texas. (2-229)
Kelly Gold and Silver Mines, Inc., Wilmington, Del. (2-228)
Mines & Metals Corporation, Tucson, Ariz. (2-220)
Morgan Industries, Inc., Dover, Del. (2-223)
New University Realty Company, Inc., New Orleans, La. (2-222)

RECOMMENDS KGIR FREQUENCY CHANGE

Station KGIR, Butte, Mont., applied to the Radio Commission to change its frequency from 1360 to 1340 kilocycles. In Report No. 509 recommendation is made that the application be granted (Ralph L. Walker, e.). The station did not ask for any time or power change. It operates unlimited time.

The Examiner found that interference now exists within the one millivolt contour of Station KGIR. "In the event KFPY vacates the 1340 kilocycle assignment," the Examiner says. "this interference can be eliminated by the assignment of KGIR to that frequency, to the benefit of the public and without detriment to any other station."

DANBURY, CONN., CASE DEFAULTED

Donald E. Bean and Wendell S. Clark, operating as the Connecticut Broadcasting Company, applied to the Radio Commission for a construction permit for a new station to be erected at Danbury, Conn. They requested a frequency of 1310 kilocycles, daytime operation. In Report No. 509 (George H. Hill, e.) it is recommended that the application be denied.

When the case was called for hearing no one appeared on behalf of the applicants and no evidence was submitted in support of the application.

APPEAL FILED IN KWKH CASE

An appeal was filed this week with the Court of Appeals of the District of Columbia by the Ark-La-Tex Radio Corporation of Shreveport, La., also asking for a stay order in connection with a decision of the Radio Commission of September 15 in which it allowed the assignment of the license of Station KWKH, Shreveport, to the International Radio Corporation.

The appeal states that the appellants had on file with the Radio Commission at the time the decision was handed down, without hearing, an application for the use of the facilities of KWKH.

APPLICANTS FAIL TO APPEAR

Station WLCI, Ithaca, N. Y., asked for a license renewal on its frequency of 1210 kilocycles. In Report No. 510 it is recommended that the application be denied (George H. Hill, e.).

When the case was called for hearing no appearance was made on behalf of the application.

TWO NEW BRIEFS FILED

During the current week the Radio Commission has filed two new briefs in the Court of Appeals of the District of Columbia.

One is in Docket No. 5846, the appeal of Station WREC against the Commission, with the Waterloo Broadcasting Company as intervener, and the other in Docket Nos. 5896 and 5917 of Station WJJD against the Commission.

KFPY RECOMMENDED FOR FREQUENCY CHANGE

Stations KFPY, Spokane, Wash., and KSEI, Pocatello, Idaho, both applied to the Radio Commission to change their frequencies to 890 kilocycles. Recommendation is made in Report No. 507 (Ralph L. Walker, e.) that the application of KFPY be granted but that of KSEI be denied.

KSEI now operates on a frequency of 900 kilocycles while KFPY operates on 1340 kilocycles. Both stations operate unlimited time.

The Examiner found in this case that "objectionable interference will not result from the operation of either KSEI or KFPY on 890 kilocycles. Upon consideration of the facts shown, and the areas and population served and proposed to be served by each, it appears that as between KSEI and KFPY, public interest will be better served by the operation of the latter station on 890 kilocycles."

QUOTA UNITS — SEPT. 23, 1933

FIRST ZONE

	Total		± Quota due	
State	Due	Assign.	± Units	± %
N. Y.	35.07	37.95	+ 2.88	+ 8
Mass.	11.84	10.56	— 1.28	— 11
N. J.	11.26	11.73	+ 0.47	+ 4
Md.	4.55	4.20	— 0.35	— 8
Conn.	4.48	4.00	— 0.48	— 11
P. R.	4.30	0.50	— 3.80	— 88
Me.	2.22	2.21	— 0.01	— 0
R. I.	1.91	1.40	— 0.51	— 27
D. C.	1.35	1.30	— 0.05	— 4
N. H.	1.29	0.83	— 0.46	— 36
Vt.	1.00	0.62	— 0.38	— 38
Del.	0.67	0.62	— 0.05	— 7
V. I.	0.06	....	— 0.06	—100
Total	80.00	75.92	— 4.08	— 5

SECOND ZONE

State	Due	Assign.	± Units	± %
Pa.	27.63	20.12	— 7.51	— 27
Ohio	19.07	19.29	+ 0.22	+ 1
Mich.	13.89	10.63	— 3.26	— 23
Ky.	7.50	8.50	+ 1.00	+ 13
Va.	6.95	9.50	+ 2.55	+ 37
W. Va.	4.96	5.61	+ 0.65	+ 13
Total	80.00	73.65	— 6.35	— 8

THIRD ZONE

State	Due	Assign.	± Units	± %
Texas	16.22	23.12	+ 6.90	+ 43
N. Car.	8.82	9.75	+ 0.93	+ 11
Ga.	8.10	8.15	+ 0.05	+ 1
Ala.	7.37	6.42	— 0.95	— 13
Tenn.	7.29	12.80	+ 5.51	+ 76
Okla.	6.67	8.44	+ 1.77	+ 27
La.	5.85	8.39	+ 2.54	+ 43
Miss.	5.60	3.58	— 2.02	— 36
Ark.	5.16	5.30	+ 0.14	+ 3
S. Car.	4.83	2.00	— 2.83	— 59
Fla.	4.09	8.45	+ 4.36	+107
Total	80.00	96.40	+16.40	+ 20

FOURTH ZONE

	Total		± Quota due	
State	Due	Assign.	± Units	± %
Ill.	22.52	33.31	+10.79	+ 48
Mo.	10.71	12.00	+ 1.29	+ 12
Ind.	9.56	7.87	— 1.69	— 18
Wisc.	8.67	7.99	— 0.68	— 8
Minn.	7.57	9.03	+ 1.46	+ 19
Iowa	7.30	11.60	+ 4.30	+ 59
Kans.	5.55	6.05	+ 0.50	+ 9
Nebr.	4.06	7.36	+ 3.30	+ 81
S. Dak.	2.05	2.97	+ 0.92	+ 45
N. Dak.	2.01	2.99	+ 0.98	+ 49
Total	80.00	101.17	+21.17	+ 26

FIFTH ZONE

Calif.	36.86	38.06	+ 1.20	+ 3
Wash.	10.15	15.59	+ 5.44	+ 54
Colo.	6.72	9.24	+ 2.52	+ 38
Ore.	6.19	9.22	+ 3.03	+ 49
Mont.	3.49	3.85	+ 0.36	+ 10
Utah	3.30	6.60	+ 3.30	+100
Idaho	2.89	3.00	+ 0.11	+ 4
Ariz.	2.83	2.66	— 0.17	— 6
N. Mex.	2.75	4.03	+ 1.28	+ 47
Hawaii	2.39	1.94	— 0.45	— 19
Wyo.	1.46	0.60	— 0.86	— 59
Nev.	0.59	0.70	+ 0.11	+ 19
Alaska	0.38	0.68	+ 0.30	+ 79
Total	80.00	96.17	+16.17	+ 20

WIRED RADIO TEST CASE

The Federal Radio Commission, in conjunction with the Department of Justice, this week was successful in prosecuting the case of the U. S. v. Norman Cohen, who was indicted for operating a radio station without a station license at Bridgeport, Conn.

The Defendant contended that he was operating his station by wired radio and therefore no license was required from the Federal Radio Commission. He further contended that the signals from his transmitting equipment were emitted through the power lines in the city of Bridgeport; from there were received at receiving stations that were connected with these power lines, and, therefore, the system was not a radio station as defined in the Radio Act.

The Government contended that this transmitting equipment acted as a radio station and emitted signals through the air as any other station, which signals were picked up by receiving sets connected with ordinary antennas. To prove this point, the Commission presented evidence showing that the station was heard in the state of Connecticut by regular receiving sets with antennas attached, and when the antennas were disconnected no signals were received from the station. In addition to this, the Government showed by agents of the Federal Radio Commission, that the signals were received in the state of New York upon an isolated receiving set not connected with power wires used by the transmitting station, thereby proving that no connection was necessary with the wire lines as contended by the defendant.

The Commission contended and proved by experts that the system used by Cohen was not really a Wired Radio system but an ordinary radio station.

The jury rendered the verdict of guilty on two counts, the first being the operation of the station without an operator's license, and the second the operation of the station without a station license. Judge Fincks, who heard the case, fined the defendant $25 after a plea of leniency by his counsel.

This case is the first one coming up in which the question of wired radio has been involved, and has a very important bearing upon further operation of stations of this kind.

HANLEY SEES BUSINESS UPTURN

After conferences with licensees of radio broadcasting stations in Illinois and Wisconsin, held recently in Chicago, Commissioner James H. Hanley, of the Fourth Radio Zone, is convinced that there is a healthy up-turn in business. He found the station licensees most optimistic over the trade outlook. He added:

"They are most militant in their demands for more time and more power, so as to increase their service areas. They are convinced that we are on the verge of a big trade revival and they are anxious to be prepared to take care of expected increased demands for radio facilities on the part of manufacturers and distributors of the necessities and luxuries of life."

While sympathetic to their pleas, Commissioner Hanley pointed out that unless and until radio engineers provided more radio channels for use in the United States, it is physically impossible to grant their requests.

Commissioner Hanley received many complaints while in the Middlewest regarding the broadcasts from Dr. John R. Brinkley's station now located in Mexico.

"The people resent having reception from their favorite stations in the United States spoiled by interference from a station ruled off the air by the Radio Commission. I told the protestants that while I was not a member of the Commission when Brinkley, Rev. Bob Shuler, and Norman Baker were taken off the air, I am in thorough sympathy with that action, which was upheld by the Court of Appeals of the District of Columbia. I am also glad that W. K. Henderson is going off the air as many of his broadcasts were intemperate and created unhealthy agitation.

"Progress is being made through diplomatic channels in clearing up the intolerable interference to our stations caused by stations established in Mexico by discredited broadcasters from this country. The American delegation, headed by Judge E. O. Sykes, chairman of the Commission, laid the foundation for an amicable adjustment. As a respected and reputable nation, Mexico, when she learns all the facts, will no longer offer succor and a refuge to such outlaws."

A NEW "HIGH" IN RADIO TOWERS

A wooden radio tower, the highest ever attempted, 624 feet high, is at present under construction for government account at Koblenz, Germany, according to information received by Axel H. Oxholm, Chief of the Lumber and Paper Division of the Department of Commerce. The German Government after diligent investigation decided to use American Southern pine in this structure and in this manner a new outlet for American lumber is found in Europe.

RADIO EMPLOYMENT UP AGAIN

Reports to the Bureau of Labor Statistics, Department of Labor, from 42 radio manufacturers gave their July employment at 22,730. This was an increase of 2.1 per cent over June and of 50.6 per cent over July of last year.

Average weekly payrolls in July in these same plants was $335,461 a decrease of 14.9 per cent compared with June but an increase of 16.5 per cent compared with July of last year.

MORE BOOTLEG SETS

The Czechoslovakian Posts and Telegraphs has issued a statement that an indemnity will be paid to all persons who should discover and denounce a clandestine receiving set to the Administration. This is in an effort both to wipe out bootleg sets and to combat the gathering of groups of radicals with secret receiving sets whereby they are enabled to listen to programs enamating from Russia.

LOTTERIES INCREASE ITALIAN LISTENERS

A marked increase in the number of listeners has been reported by the Italian broadcasting authorities and has been attributed by them to the use of lotteries. All listeners subscribing to the broadcasting service of the country are given tickets, from which winning numbers for 15 prizes are drawn. Italian broadcasting is maintained by a private monopoly conducted under government supervision.

TRADE COMMISSION DESIST ORDER

The Federal Trade Commission has ordered Maisel Trading Post, Inc., Albuquerque, N. M., to cease and desist from selling its silver jewelry, partly made by machinery, as "Indian" or "Indian Made." Among the products so sold were bracelets, rings and concha belts. According to the order, the company, in case it chooses to use the words "Indian" or "Indian Made" in its advertising, with or without addition of the word "Jewelry" or of the words "bracelet", "ring", or "concha belts", is to designate either that the jewelry has been rolled or pressed or partly ornamented by machine or, as the case may be, that there has been used in its production a combination of rolling, pressing, or partial ornamentation by machine.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, October 2, 1933

NEW—Maurice Scott, R. D. Laird, Wm. M. Kahanowitz, and I. Kahanowitz, d/b as Greensburg Broadcasting Co., Greensburg, Pa.—CP, 1420 kc., 100 watts, daytime.

Wednesday, October 4, 1933

Hearing before Commission en banc

WGN—WGN, Inc., Chicago, Ill.—CP, 720 kc., 50 KW, unlimited time. Present assignment, 720 kc., 25 KW, unlimited time.

WHAM—Stromberg-Carlson Telephone & Manufacturing Co., Rochester, N. Y.—CP, 1150 kc., 50 KW, unlimited time. Present assignment, 1150 kc., 25 KW, unlimited time.

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass. —Modification of license; 990 kc., 50 KW, unlimited time (synchronized with WBZA). Present assignment, 990 kc., 25 KW, unlimited time (synchronized with WBZA).

Hearing before Examiner

NEW—Willard G. Demuth, Uhrichsville, Ohio—CP, 1370 kc., 100 watts, daytime.

Thursday, October 5, 1933

WGNY—Peter Goelet, Chester Township, N. Y.—Modification of license; 1210 kc., 50 watts, share equally with WJBI, WFAS, and WGBB. Present assignment, 1210 kc., 50 watts, specified hours.

Friday, October 6, 1933

Rehearing

KMLB—Liner's Broadcasting Station, Monroe, La.—CP, 590 kc., 250 watts, specified hours. Present assignment, 1200 kc., 100 watts, unlimited time.

APPLICATIONS GRANTED

First Zone

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted modification of CP to make changes in equipment, extend commencement date to 30 days after today, and completion date to February 1, 1934.

WNBZ—Earl J. Smith and Wm. Mace, d/d as Smith & Mace, Saranac Lake, N. Y.—Granted renewal of license, 1290 kc., 50 watts, daytime. (Application of WHDL applying for facilities of WNBZ has been dismissed.)

Second Zone

WRVA—Larus & Bros. Co., Inc., Richmond, Va.—Granted modification of license to determine power of station by direct measurement of antenna power.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted authority to operate from 2 to 3 a. m. October 14, 1933, with 1 KW power, in order to broadcast program in cooperation with the York Radio Club of York, Pa.

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted special temporary authorization to broadcast World Series baseball games.

Third Zone

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted authority to use time assigned to but not used by KTHS from 12:30 to 6 p. m., CST, September 30; October 7, 14, 21, and 28; November 4, 11, 18, 24, 25; and December 2 and 9.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted authority to operate on 970 kc. from 12:30 p. m., CST, until 6 p. m., CST, September 30, October 7, 14, 21, and 28; November 4, 11, 18, 24, 25; and December 2 and 9, 1933, in order to broadcast athletic events.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted modification of CP to extend commencement date to August 19 and completion date to November 9, 1933.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted renewal of special experimental authorization to increase power from 500 watts to 1 KW until April 1, 1934.

WEED—Wm. Avera Wynne, Greenville, N. C.—Granted license to cover CP; 1420 kc., 100 watts, daytime to local sunset.

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted renewal of license for auxiliary transmitter to March 1, 1934.

Fourth Zone

WKBH—WKBH, Inc., LaCrosse, Wis.—Granted two weeks' extension of special authority to operate with 500 watts power pending repair of generator.

WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted extension of special experimental authorization to operate from 12 midnight to 6 a. m. on 1120 kc., with 500 watts power, to February 1, 1934. (Normally licensed on 860 kc., 500 watts, daytime only.)

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authorization to operate from 3 to 6 p. m., CST, on October 6 and November 11, 17, and 30, 1933.

WFAM—The South Bend Tribune, South Bend, Ind.—Granted CP to make changes in last radio stage.

Fifth Zone

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted extension of authority to use the time of KFWI, provided that station continues to remain silent, until April 1, 1934.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—Granted temporary extension of license to November 1, 1933, pending receipt and/or action on application for renewal.

KWFV—Hilo Broadcasting Co., Ltd., Hilo, Hawaii—Granted modification of CP to extend commencement date to December 1 and completion date to February 1, 1934.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. —Granted extension of special authority to make tests using portable transmitter on 1360 kc. to December 1.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on any pending applications affecting the facilities of KVOA, and designated KVOA's application for hearing.

SET FOR HEARING

NEW—The State Journal Company, Lansing, Mich.—CP for new station, **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

WIS—Station WIS, Inc., Columbia, S. C.—CP to move transmitter, install new equipment, change frequency from **1010 kc.** to **1050 kc.**, and increase power from 500 watts night 1 KW day to 5 KW.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Application for renewal of license.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WINS—American Radio News Corp., New York—Modification of license, **1180 kc.**, 1 KW, limited time.

KSO—Iowa Broadcasting Co., Des Moines, Iowa—CP, **1120 kc.**, 500 watts LS, 250 watts unlimited time (facilities of WIAS).

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license, **1120 kc.**, 500 watts, unlimited time.

WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—**750 kc.**, 50 KW, unlimited time.

The following application, heretofore set for hearing, was denied, because applicant failed to enter appearance within time allowed:

KRGV—KRGV, Inc., Harlingen, Tex.—Modification of license, **1260 kc.**, 500 watts, unlimited time (facilities of KWWG).

MISCELLANEOUS

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authorization to operate from 1:30 to 3 p. m. and 4 to 5:15 p. m., EST, on October 21 and 28, 1933, and from 1:30 to 3 p. m. and 4 to 4:30 p. m., EST, November 11.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of authority to use time assigned to but not used by stations WILL and KUSD during month of October.

ACTION ON EXAMINER'S REPORT

NEW—Donald E. Bean and Wendell S. Clark, d/b as The Connecticut Broadcasting Co., Danbury, Conn.—Denied as in case of default application for new station to operate on **1310 kc.**, 100 watts, daytime hours, sustaining Examiner George H. Hill.

APPLICATIONS RECEIVED

First Zone

WHEC—WHEC, Inc., Rochester, N. Y.—Extension of special temporary experimental authorization to operate simultaneously with WHP, WCAH, WOKO, and WFEA on **1430 kc.**

Second Zone

WHAS—The Courier-Journal Co. and The Louisville Times Co., Louisville, Ky.—Construction permit to make changes in equipment and increase power from 25 KW to 50 KW.

WDBJ—Times-World Corporation, Roanoke, Va.—Modification of license to increase power from 250 watts night, 500 watts to local sunset to 500 watts.

WHP—WHP, Inc., Harrisburg, Pa.—Extension of special temporary experimental authorization to operate simultaneously with WHEC, WCAH, WOKO, and WFEA to 5-1-34.

Third Zone

WMBR—F. J. Reynolds, Tampa, Fla.—Consent to voluntary assignment of license to F. J. Reynolds, Inc.

WMBR—F. J. Reynolds, Inc., Tampa, Fla.—Construction permit to make changes in equipment and move transmitter and studio from Tampa, Fla., to Jacksonville, Fla.

NEW—J. H. Squires and A. E. Cullum, Jr., Dallas, Tex.—Constructionn permit for new station to use **1200 kc.**, 100 watts, daytime (facilities KGKL, San Angelo, Tex.). Filed with 3-P-B-2995 requesting be considered under Rule 49.

NEW—J. H. Squires and A. E. Cullum, Jr., Dallas, Tex.—Construction permit for new station to use **1200 kc.**, 100 watts, daytime (facilities KFYO, Lubbock, Tex.). Resubmitted with above and request to consider same under Rule 49.

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Consent to voluntary assignment of license to WMC, Inc.

WJBW—Charles C. Carlson, New Orleans, La.—License to cover construction permit granted 9-1-33 to move transmitter and studio locally.

WAMC—Raymond C. Hammett, Anniston, Ala.—Modification of construction permit granted 5-23-33 to rebuild station destroyed by fire to extend dates of commencement and completion to 11-15-33 and 2-15-34, respectively.

Fourth Zone

None.

Fifth Zone

KNX—Western Broadcast Co., Los Angeles, Calif.—Modification of station license to increase power from 25 KW to 50 KW.

NEW—Metro Broadcasting Co., A. Tornek and R. Lillie, East Los Angeles, Calif.—Construction permit for new station to use **820 kc.**, 250 watts, limited time with WHAS, Louisville, Ky. Facilities formerly assigned KGEF now assigned KFAC, Los Angeles, Calif.

NEW—The Wyoming Broadcasting Co., R. E. Carroll, Owner, Sheridan, Wyo.—Construction permit for new station to use **1370 kc.**, 100 watts, unlimited time.

NEW—C. G. Phillips and Frank Hill, d/b Boise Broadcast Station, Weiser, Idaho—Construction permit for new station to use **1200 kc.**, 100 watts, unlimited time (facilities KFXD, Nampa, Idaho.

APPLICATIONS RETURNED

WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Modification of conconstruction permit to extend dates of commencement and completion. (Oath not signed.)

NEW—Pecan Valley Broadcasting Co., Brownwood, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time. (Oath, transmitter location, and frequency monitor.)

NEW—Virgil V. Evnes, Augusta, Ga.—Construction permit for new station to use **1500 kc.**, 100 watts, unlimited hours. (All sections not completed; frequency monitor.)

NEW—White Wing Publishing House, Cleveland, Tenn.—Construction permit for new station to use frequency near **1500 kc.**, 100 watts, limited time. (Not signed; Rules 5, 6 and 77—insufficient information on equipment and transmitter location.)

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Authority to determine power by direct antenna measurement (request of applicant).

KNX—Western Broadcast Co., Los Angeles, Calif.—Special experimental authorization to operate with 50 KW experimentally. (Request of applicant as it is superseded by 5-ML-B-1236 requesting this increase *not* on experimental basis.)

NEW—Magic Isle Broadcast Co., Avalon, Calif.—Construction permit for new station to use **1220 kc.**, 500 watts, unlimited time. (Rule 6a, c and d—insufficient information on proposed transmitter location.)

CALL SIGNALS ASSIGNED DURING WEEK OF SEPT. 18

WMIL, Brooklyn, N. Y., changed to WCNW.
WMED, Florence, Ala., changed to WNRA.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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ROADS LEAD TO WHITE SULPHUR

All radio roads lead to White Sulphur Springs, W. Va., where the Eleventh Annual Convention of the National Association of Broadcasters will open with the drop of President McCosker's gavel on Monday morning.

In the meantime, conferences on the code of fair competition for the broadcasting industry are still in progress and a full and complete report of all proceedings will be presented at the White Sulphur meeting.

Temporary headquarters of the NAB have been established at White Sulphur during the time of the convention.

Early registrations indicate that a record crowd will be on hand at the meeting.

COMMISSION AMENDS RULES

Due to the fact that printed rules and regulations of the Radio Commission have been completely exhausted it is necessary to have a reprint made, and before doing that the Commission has made some changes in its rules.

Most of the changes made by the Commission are of a very minor nature, but one change of considerable importance was made concerning the use of broadcasting stations during emergencies. In Rule No. 23 of the Commission as quoted below the entire second paragraph has been added during the current week:

"23. Where an emergency exists affecting safety to life or property, the Commission may, in its discretion, waive any part or all of its regulations governing the filing of applications.

"The licensee of any radio transmitting station may, during a period of emergency in which the normal communication facilities are disrupted as a result of hurricane, flood, earthquake or similar disaster, utilize such station for emergency communication service in communicating with points other than those specified in the station license provided (1) that at the beginning of such emergency use immediate notice be sent to the Federal Radio Commission stating the nature of the emergency and the use to which the station is being put, and (2) that the emergency use of the station shall be discontinued as soon as substantially normal communication facilities are again available. At any time the Commission may order the discontinuance of such service."

STATION OWNERSHIP MAY BE REQUIRED

A resolution has been proposed by Commissioner Lafount which would make it obligatory for stations selling their stock to record same with the Commission when asking for their next license renewal. The resolution, which is as follows, has been referred to the Legal and Engineering Divisions of the Commission:

"WHEREAS Section 12 of the Radio Act of 1927 as amended provides in part as follows:

> " 'The station license required hereby, the frequencies or wave length or lengths authorized to be used by licensee, and the rights therein granted shall not be transferred, assigned, or in any manner, either voluntarily or involuntarily, disposed of to any person, firm, company, or corporation without the consent in writing of the licensing authority.'

"WHEREAS that portion of the Radio Act quoted above clearly indicates the intent and desire of Congress to require all assignments of licenses to be approved by the licensing authority, and

"WHEREAS many licenses are issued to corporations, and

"WHEREAS, the stock of said corporations can be transferred without the knowledge or consent of the Federal Radio Commission, which has the effect of transferring the license from one set of individuals to another without the written consent of the Federal Radio Commission as required by the Act, and, in order that the Commission may have available data which will enable it to differentiate between the name of a corporation and the actual parties in interest,

"BE IT RESOLVED that the Federal Radio Commission mail a questionnaire to each corporation licensee, propounding the following questions:

1. Name of corporation?
2. Authorized under the laws of what state?
3. Authorized capital stock, describing different classes of same, number of shares authorized, the par value of each, and the number of shares of each issued?
4. List of stockholders of record as of October 1, 1933, showing the number of shares held by each, the city and state in which each reside?
5. List of officers as of October 1st?
6. If any stockholders or officers are aliens, please so indicate.

"BE IT FURTHER RESOLVED that the Commission require that the above set of questions be answered under oath or affirmation and returned to the Commission, and thereafter that the Commission require applicant corporations to report all transfers of stock during the past license period at the time and in connection with their application for renewal of license, which, under the law, must be sworn to."

Discussing the resolution, Commissioner Lafount said:

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"In my opinion, the law requires the Commission to keep itself informed as to the actual ownership of stations, and, for the purpose of helping to produce this result, I move the adoption of the resolution."

WREC CASE ARGUED

The Court of Appeals at its opening session on October 2 heard the appeal argued in Docket No. 5846 of Station WREC, Inc., against the Radio Commission. Dockets Nos. 5896 and 5917 of Station WJJD against the Commission which were to have been heard on the same date were postponed until next month.

WLCI DEFAULT SUSTAINED

The Radio Commission on Friday upheld Examiner George H. Hill in his Report No. 510 in which he declared the Lutheran Association of Ithaca, Ithaca, N. Y., Station WLCI, in default because it failed to put in an appearance at a hearing called in connection with the license renewal of the station.

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Alpha Distributors, Inc., New York City. (2-231)
Basin Goldfields, Ltd., Butte, Mont. (2-242)
James B. Beam Distilling Company, Clermont, Ky. (2-245)
Bloom Lake Consolidated Mines, Ltd., Toronto, Canada. (2-237)
Cariboo Amalgamated Gold Mines, Ltd., Vancouver, B. C. (2-240)
Chattanooga Brewing Company, Chattanooga, Tenn. (2-232)
City Farmers Fund (C), Inc., New York City. (2-236)
Fifteen West 81st Street Bondowners Elected Committee, New York City. (2-238)
Miller-Ryan Trading Corporation, Denver, Colo. (2-241)
Nevada Pacific Ranches, Inc., Salt Lake City, Utah. (2-234)
Penn-York Oil & Gas Corporation, Olean, N. Y. (2-243)
Luther E. Todd and Others, St. Louis, Mo. (2-239)
The Trinity Corporation, Kittery, Me. (2-233)
United Capital Corporation, Augusta, Me. (2-244)
United Investors Corporation, Des Moines, Iowa. (2-235)
Western Reserve Brewing Company, Warren, Ohio. (2-230)
American Gold Mines, Inc., Idaho Springs, Colo. (2-256)
American Royalties, Inc., New York City. (2-257)
Buttes Oldfields, Inc., Oakland, Calif. (2-255)
Cummins Distilleries Corporation, Louisville, Ky. (2-253)
Distilled Liquors Corporation, New York City. (2-249)
Distributors Group, Inc., New York City. (2-246)
Frerichs Mining Company, Chicago, Ill. (2-250)
Gyro Air Lines, Inc., Denver, Colo. (2-248)
Kenilworth Brewing Company, Beaver Heights, Md. (2-259)
Lock Nut Corporation of America, Chicago, Ill. (2-247)
Philadelphia Protective Committee, Van Camp Products Co., Philadelphia. (2-252)
Rose Hills Memorial Park, Whittier, Calif. (2-251)
Shenandoah Valley Jockey Club, Charlestown, W. Va. (2-254)
Sullivan Gold Mining Company, Spokane, Wash. (2-258)

WWL APPEALS FROM F. R. C. DECISION

Appeal was filed this week by Station WWL in the Court of Appeals of the District of Columbia against the Radio Commission because of a decision of the Commission rendered on September 15 refusing the application of the station for full-time operation on its frequency of 850 kilocycles. The station now operates part time.

Protest was also made in the appeal that the Commission granted a license renewal to Station KWKH and that it granted the assignment of license of that station from the Hello World Broadcasting Corporation to the International Broadcasting Company.

Among other things it is stated in the appeal that "the order of the Commission, if it could be sustained upon any facts or reasons at all, would be based upon facts and reasons not presented at any hearing at which appellant was present or represented or had an opportunity of cross-examination or of offering explanatory evidence or evidence in contradiction."

It is further contended in the appeal that "the order of the Commission denying appellant's application is made contrary to the evidence, is without evidence to sustain it and is arbitrary, unreasonable and capricious."

COMMISSION ANSWERS RCA CASE

The Radio Commission this week filed its answer in the Supreme Court of the District of Columbia to the case brought against it by one Gerald V. Moore, of this city, in which the Commission was alleged to have violated the law in granting renewal licenses to the National Broadcasting Company, subsidiary of the Radio Corporation of America, on the basis that the parent organization had been adjudged guilty by a federal court of attempting monopoly. The petitioner asked for a writ of mandamus against the Commission in this case.

In a lengthy answer the Commission points out that a similar case has already been decided by the Court and that the petitioner had an opportunity to intervene in a case. The petitioner, says the Commission, "having failed to avail himself of his plain, speedy and adequate remedy at law, cannot now obtain a review of said action and decision by a writ of mandamus."

Denial is made by the Commission in its answer that RCA has been finally adjudged guilty by "a federal court of entering into a contract with other firms in the radio apparatus field (to substantially lessen competition or attempting to create a monopoly in) the commerce in such radio vacuum tubes for radio broadcast receivers as alleged by the petitioner."

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Friday, October 13, 1933

NEW—Joseph S. Crawford and Leigh E. Ore, Erie, Pa.—CP, 1420 kc., 100 watts, unlimited time.

WMCA—Knickerbocker Broadcasting Co., New York—Special authority, **570 kc.**, 500 watts, with additional 500 watts experimentally, unlimited time. Present assignment, **570 kc.**, 500 watts, unlimited time.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—CP, **570 kc.**, 500 watts, unlimited time. Present assignment, **570 kc.**, 250 watts, unlimited time.

NEW—Harold Thomas, Waterbury, Conn.—CP, **1190 kc.**, 100 watts, daytime.

APPLICATIONS GRANTED

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted authority to operate on **970 kc.** during World Series games. (Normally licensed on **1040 kc.**, 10 KW, sharing with KTHS.)

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted authority to use time assigned to KRLD on **1040 kc.** while that station is using **970 kc.** during Series games.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala. KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted authority to operate simultaneously with 1 KW power October 4 from 8:30 to 9:30 p. m., CST, in order to take National Catholic Charities program with President Roosevelt speaking. (Stations normally licensed on **1140 kc.**, 5 KW (CP 25 KW) simultaneous daytime, sharing at night.)

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to broadcast World Series games and to operate from 1:30 p. m. to 5:30 p. m., CST, October 7, 14, 21, 28 and November 4, 11, 18, 25, 1933.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authorization to operate 10 p. m. to 12 midnight, CST, October 6.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted modification of license for authority to operate on EST instead of CST as specified in existing license—6 a. m. to sunset and 9 to 12 p. m., EST.

WIBM—WIBM, Inc., Jackson, Mich.—Granted modification of license to operate on EST instead of CST as specified in existing license—5 a. m. to 8 p. m. EST.

WSB—Atlanta Journal Co., Atlanta, Ga.—Granted authority to use 5 KW transmitter as auxiliary pending action on application for regular license covering use of 5 KW transmitter as auxiliary.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authorization to operate from 9 p. m. to 12 midnight, CST, on October 26, 1933.

SET FOR HEARING

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—CP to install new equipment and increase power from 250 to 500 watts.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—CP to make changes in equipment and increase daytime power from 500 watts to 1 KW (facilities of KFWI).

WFBM—Indianapolis Power and Light Co., Indianapolis, Ind.—modification of license to increase specified hours to unlimited (facilities of WSBT).

WSBT—The South Bend Tribune, South Bend, Ind.—Modification of license to change frequency from **1230 kc.** to **1360 kc.**; increase specified hours to 4/7 time (facilities formerly assigned WJKS (now WIND) on **1360 kc.**).

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—CP to move transmitter from Fall River to Somerset, Mass., and move studio locally in Fall River; also make changes in equipment. Requests special experimental authorization to increase day power from 250 watts to 500 watts.

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—CP to make changes in equipment and increase power from 100 to 500 watts (facilities of KFWI).

APPLICATIONS RECONSIDERED

The Commission reconsidered its action of September 19 and cancelled the authorizations set forth below, at the request of applicants:

WNAD—University of Oklahoma, Norman, Okla.—Special temporary authorization to operate from 2:30 to 5:30 p. m., CST, September 30, provided KGGF remained silent.

WNAD—University of Oklahoma, Norman, Okla.—Special temporary authorization to operate from 2:30 to 5:30, CST, October 21, November 4, and November 30, provided KGGF remained silent.

MISCELLANEOUS

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Denied authority to operate Saturday morning, October 7, from 1 to 4 p. m.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Denied their protest against the granting of KRMD's appeal to operate from 1 to 5 p. m., October 14, 21, and November 25 and 30. (KTBS operates on **1450 kc.**, 1 KW, unlimited time.)

WDAE—Tampa Publishing Co., Tampa, Fla.—Dismissed at request of applicant, application for CP, **1220 kc.**, 1 KW, 2½ KW LS, unlimited time (facilities of WRUF), heretofore set for hearing.

NEW—Central Broadcasting Co., Davenport, Iowa—Dismissed from the hearing docket, at request of applicant, application for facilities of WIAS—**1310 kc.**, 100 watts, unlimited day, Sh. night.

WJAC—WJAC, Inc., Johnstown, Pa.—Denied authority to reduce hours of operation on Monday until December 1, 1933, as follows: 9 to 10:30 a. m., and 4:30 to 10 p. m.

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APPLICATIONS RECEIVED

First Zone

WCAC—Connecticut Agricultural College, Storrs. Conn.—Modification of license to reduce specified hours of operation.

NEW—S. George Webb, Newport, R. I.—Construction permit for new station to use **1320 kc.**, 250 watts, unlimited time. Amended as to data on equipment.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Modification of license to increase hours of operation; change from specified hours to unlimited except 12:30 p. m. to 1:00 p. m. Monday to Friday inclusive, and Wednesday 4:30 to 5:00 p. m. Facilities of WCAC as to hours from 7:00 p. m. to 8:00 p. m. Monday to Friday inclusive.

WORC—Alfred F. Kleindienst, Worcester, Mass.—Modification of special experimental authorization for **1280 kc.**, 500 watts, unlimited, to make changes in the equipment used.

Second Zone

WCAH—Commercial Radio Service Co., Columbus, Ohio—Extension of special temporary authorization to operate simultaneously with WOKO, WHEC, WHP, and WFEA for six months from 11-1-33.

NEW—Voice of Southwestern Pennsylvania, Inc., Silver Haven, Pa.—Construction permit for new station to use **800 kc.**, 1 KW, limited time—sunset Dallas (facilities WNBO, Silver Haven, Pa.).

WCOD—Keystone Broadcasting Corp., Harrisburg, Pa.—Construction permit to change transmitter and studio locally and make changes in equipment.

Third Zone

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license to change hours of operation from specified hours to unlimited. Requests half facilities KWEA, Shreveport, La.

KNOW—KUT Broadcasting Co., Austin, Tex.—Modification of construction permit granted 10-7-32 for move of transmitter to extend date of commencement and completion to 9-29-33 and 12-29-33, respectively.

WMBR—F. J. Reynolds, Inc., Tampa, Fla.—Construction permit to move transmitter and studio to Jacksonville, Fla., and make changes in equipment amended to omit request for change in equipment.

KBTM—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Construction permit to move transmitter and studio from Paragould to Jonesboro, Ark., and install automatic frequency control amended as to exact transmitter location—State Highway No. 1, Jonesboro, Ark., map and schematics attached.

NEW—Ark-La-Tex Radio Corp., Shreveport, La.—Construction permit for new station to use **1210 kc.**, 100 watts, unlimited hours, facilities KWEA, Shreveport, amended as to transmitter location to 601 Milan St., Shreveport, La.

WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Modification of construction permit granted 12-9-32 to extend date of commencement and date of completion to 2-9-34 and 4-9-34, respectively.

Fourth Zone

WFBM—Indianapolis Power and Light Co., Indianapolis, Ind.—Modification of license to change hours from specified to unlimited (facilities WSBT, South Bend, Ind.).

WSBT—The South Bend Tribune, South Bend, Ind.—Modification of license to change frequency from **1230 kc.** to **1360 kc.** and change in specified hours (facilities vacated by WJKS (now WIND), Gary, Ind.).

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Modification of construction permit granted 1-31-33 move locally to extend date of completion to 11-30-33.

Fifth Zone

NEW—H. E. Studebaker, Lewiston, Idaho—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time.

APPLICATIONS RETURNED

NEW—John J. Kessel, Huntington, N. Y.—Construction permit for new station to use **735 kc.**, 12 watts, daytime. (All sections not answered, frequency, power, Rule 6, equipment and transmitter location.)

NEW—Earl L. Smith and Ray D. Wilson, Muskogee, Okla.—Construction permit for new station to use **1210 kc.**, 100 watts, limited time. (Rule 6, Rule 77, oath, insufficient information on proposed transmitter location.)

NEW—M. L. Myers, d/b as Richland Sound Systems, Mansfield, Ohio—Construction permit for new station to use **1310 kc.**, 50 watts, specified hours. (Rule 6 and insufficient information on transmitter location.)

NEW—Samuel Nathanuel Morris, Stamford, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts, limited time, facilities KFYO, Lubbock, Tex., and KFPL, Dublin, Tex. (Rule 77, insufficient information on proposed transmitter location.)

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license for change in hours of operation. (Notarial seal omitted.)

KFXM—J. C. and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Construction permit for changes in equipment and increase power from 100 watts to 100 watts night, 250 watts to local sunset. (Section 1 incorrect, Rule 6, diagrams omitted frequency monitor, location.)

KRSC—Radio Sales Corp., Seattle, Wash.—Modification of license to change frequency from **1120 kc.** to **1110 kc.** (Request of applicant.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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McCOSKER REELECTED PRESIDENT

Alfred J. McCosker, WOR, Newark, N. J., was reelected president of the NAB at the concluding session of the eleventh annual convention of the Association held at White Sulphur Springs, W. Va., October 8, 9, 10, and 11.

Leo Fitzpatrick, WJR, Detroit, Mich., was reelected first vice president, and John Shepard III, WNAC-WAAB, Boston, Mass., was reelected second vice president.

I. D. Levy, WCAU, Philadelphia, Pa., was elected as treasurer to succeed Arthur B. Church, KMBC, Kansas City, Mo., who was elected to a three-year term as a member of the Board of Directors.

H. K. Carpenter, WPTF, Raleigh, N. C., and William S. Hedges, KDKA, Pittsburgh, Pa., were reelected to the Board. Frank M. Russell, WRC, Washington, D. C., and I. R. Lounsberry, WGR, Buffalo, N. Y., were elected to the Board. The retiring members are Donald Flamm, WMCA, New York, N. Y., and George F. McClelland, WEAF, New York, N. Y.

Philip G. Loucks was reelected as managing director at the first meeting of the new Board.

FROM PRESIDENT TO PRESIDENT

The following telegram from President Roosevelt was received by President McCosker and presented by the latter to the meeting:

"Alfred J. McCosker, President,
"National Association of Broadcasters,
"White Sulphur Springs, W. Va.

"I extend to you and to the members of the National Association of Broadcasters assembled at White Sulphur Springs my heartiest greetings stop Your organization stands for a young but tremendously important industry stop I know this convention will carry forward another year of successful achievement and assure you that you have my good wishes.

FRANKLIN D. ROOSEVELT."

PROCEEDINGS WILL BE PRINTED

Every effort is being made to speed up the publication of the proceedings of the White Sulphur Springs convention. The official transcript of the meetings will be received in Washington within the next two days, will be edited and sent to the printer immediately. It is expected that copies will be available to members within the next week or ten days. The story of the convention, therefore, will be left to the detailed minutes.

BOARD MEETING NOVEMBER 9

A meeting of the Board of Directors will be held at the Mayflower Hotel, Washington, D. C., on Thursday, November 9. The purpose of the meeting is to formulate a program for the coming year.

RESOLUTIONS ADOPTED BY NAB

Following are the resolutions adopted by the NAB at its business session on October 11, 1933:

Resolution No. 1

RESOLVED, That the National Association of Broadcasters hereby extends to the management of the Greenbrier Hotel, and to the members of the Convention Committee, its cordial thanks for their cooperation in making the 1933 Convention a success; and that in particular the Association extends its thanks to the Honorable Eugene O. Sykes, Chairman of the Federal Radio Commission, for his courtesy in attending the convention and addressing its opening session.

Resolution No. 2

RESOLVED, That the National Association of Broadcasters hereby approves the past actions of its officers and directors in their effort to secure an equitable contract between the American Society of Composers, Authors, and Publishers, and the Broadcasters, and hereby authorizes and directs its officers and directors to continue such effort, and to raise all necessary funds for that purpose, in such manner as they may deem most effective.

Resolution No. 3

RESOLVED, That the National Association of Broadcasters hereby indorses the work of its Code Committee in the preparation of a Code of Fair Competition for the Broadcasting Industry, and specifically urges upon the Code Committee the absolute necessity for maintaining the principle of a forty-eight-hour minimum week for broadcast operators and control men, on the ground that the long hours, seven days each week, during which this industry must operate as a matter of service to the public, makes it impossible for many broadcasters to continue in business except at a disastrous loss on the basis of shorter hours for operators and control men.

Resolution No. 4

RESOLVED, That while the National Association of Broadcasters is eager to cooperate in protecting the public against exploitation through untruth or unscrupulous advertising, it believes that any legislation for this purpose must be reasonable and precise in definition, uniform in administration, and fair in application, and therefore this Association must record itself as definitely opposed to the enactment, unless on the basis of many and far-reaching changes therein, of the bills to re-write the Pure Food and Drug Law now pending in both Houses of the Federal Congress.

Resolution No. 5

RESOLVED, That in view of the commitment now being required of every broadcaster under the terms of the National Recovery Act, it is a manifest injustice that this industry should be compelled to measure the existence of every one of its component parts in terms of not more than six months, and that, as a definite part of the national program of recovery and increased stability and confidence, the Broadcasters are clearly entitled to the full term of license provided by Congress in the Radio Act of 1927; and this Association hereby directs its officers and directors to present to the Federal Radio Commission its urgent request for action which will bring the regulations of that Commission in accord with the provisions of the law.

Resolution No. 6

RESOLVED, That the National Association of Broadcasters undertake through the proper committee the study of all sales costs with the view of presenting definite recommendations at the next annual convention of the Association in 1934.

Resolution No. 7

WHEREAS, The practice of accepting business on a "per inquiry" and "commission" or "contingent" basis has been widespread among stations, and is against public interest, convenience and necessity; and

WHEREAS, Such practices are inimical to the best interests of broadcasting, and unfair to legitimate buyers paying card rates; be it therefore

RESOLVED, That the National Association of Broadcasters considers such business so accepted as constituting unfair trade practices, and that furthermore, all business must be accepted only at card rates.

Resolution No. 8

WHEREAS, There is an insistent demand on the part of advertisers and advertising agencies for uniform station data; and

WHEREAS, Many methods of measuring station coverage and program prestige have been advanced with resultant confusion, it is therefore

RESOLVED, That the NAB is of the opinion that a survey of potential coverage is basic and preliminary to any further surveys or measurements, and recommends that steps be taken to standardize practices of measurement.

Resolution No. 9

WHEREAS, The use of the electrical transcription method of broadcasting programs is generally accepted by both stations and by listeners, and has become an important economic factor in the operation of broadcasting stations; and

WHEREAS There is definite evidence of serious loss in income to stations because of existing requirements that electrical transcription programs must be so announced; and

WHEREAS, There has been sufficient progress in the manufacture of electrical transcription programs that the reproduction of the majority of such programs are now generally considered as excellent; and

WHEREAS, The broadcasting industry would be greatly benefited by the removal of existing restrictions, therefore be it

RESOLVED, That the National Association of Broadcasters hereby respectfully urges the Federal Radio Commission to alter the existing regulations requiring that electrically transcribed programs made especially for broadcasting be so announced, so that such a transcription may be announced merely as a production of the concern making such transcription.

Resolution No. 10

WHEREAS, The practice of accepting "script" and electrically transcribed programs of a commercial character, on a sustaining basis, is against public interest, convenience, and necessity; and

WHEREAS, Such a practice is unfair to legitimate buyers of broadcasters' facilities, be it therefore

RESOLVED, That the National Association of Broadcasters considers such business so accepted as constituting an unfair trade practice.

Resolution No. 11

RESOLVED, That the National Association of Broadcasters hereby refers to its Board of Directors the recommendations made in the report of Mr. James W. Baldwin, with instructions to proceed as rapidly as may be practicable along the lines indicated in that report.

ASCAP BUSY IN BALTIMORE

Despite assurances to Congress that no effort would be made to compel restaurants and other small enterprises to pay for licenses, representatives of the American Society of Composers, Authors, and Publishers in various localities have started a new campaign against such establishments.

The most active of these campaigns is being carried on in Baltimore, Maryland, and has resulted in large-scale threats against owners of radio receiving sets who use these sets in their business. As a result, Representative Ambrose J. Kennedy of that city has announced that he will ask the House Committee on Merchant Marine, Fisheries and Radio, of which he is a member, to investigate the practices of ASCAP in extorting such licenses. Maryland restaurant owners have organized a cooperative defense against these threats, as has a group of restaurants in New York.

As a weapon against these campaigns, Oswald F. Schuette. NAB Copyright Director, has advised inquiring members and others to present the full details of such operations to the local Congressmen with a request that the matter be called to the attention of the Department of Justice and the Federal Trade Commission, both of whom are investigating ASCAP methods. Such Congressional interest should serve to speed the government's prosecution of these inquiries.

JOHNSON PRAISES RADIO

General Hugh S. Johnson, National Recovery Administrator, paid a tribute to radio in an address over the network of the National Broadcasting Company last Tuesday.

"In closing I want to say a word of thanks to the great broadcasting chains," the General said. "I am informed that the cancellation of commercial programs necessary to clear this half hour has cost them many thousands of dollars. When we think of the willing eagerness of such sacrificial cooperation as this in an effort to make effective a great national purpose and then turn to contemplate the obstructions of 'ten per centers'—the rules of radio do not permit adequate characterization."

RECOMMENDS POWER INCREASE DENIAL

Station WBCM, Bay City, Mich., applied to the Radio Commission for authority to increase its power experimentally from 500 to 1,000 watts. Recommendation is made in Report No. 514 (Ralph L. Waker, e.) that the application be denied.

The Examiner found that the use of the increased power by this station, even on an experimental basis, would detrimentally affect other existing stations. "Further," he states, "it appears that the tests which the applicant proposes to conduct can be successfully carried on with its present operating power and that the special authorization requested is unnecessary."

RECOMMENDS NEW STATION DENIAL

A group of individuals doing business as the Greensburg Broadcasting Company applied to the Radio Commission for a construction permit for a new station to be erected at Greensburg, Pa. Recommendation is made in Report No. 511 (George H. Hill, e.) that the application be denied. The application asked for a frequency of 1420 kilocycles, daytime operation, to use 100 watts power.

Examiner Hill found that the financial showing of the applicants was unsatisfactory, that "a sufficient showing of need for the service requested" was not made by the applicants, and that the granting of the application "would possibly result in interference between Station WTBO, operating on the requested frequency of 1420 kilocycles, and the proposed station."

FURTHER INCREASE IN RADIO EMPLOYMENT

In 41 radio manufacturing plants the August employment was 25,943, an increase of 15 per cent over July and of 71.5 per cent over August of last year, according to the Bureau of Labor Statistics, Department of Labor. Weekly August payrolls in these same plants amounted to $440,998, an increase of 32.5 per cent over July and of 64.6 per cent over August of last year.

NEW STATION DENIAL RECOMMENDED

Raymond M. Brannon, of Fremont, Nebr., filed an application with the Radio Commission asking for a construction permit for a new station at that place, while Station KFOR, Lincoln, Nebr., asked for license renewal. Recommendation is made in Report No. 513 (Ralph L. Waker, e.) that the Brannon application be denied and that the license of Station KFOR be renewed.

The Examiner found that the applicant for the new station does "not appear to have sufficient money to construct and place in operation the proposed station."

It was found also that "the territory which the applicant proposes to serve now receives programs from existing stations and there is not shown such a need for a station at Fremont as would warrant the withdrawal of facilities from an existing station for the purpose of granting applicant's request."

RECOMMENDATIONS ON CALIFORNIA STATIONS

Station KTM, Los Angeles, applied to the Radio Commission for renewal of its existing license and voluntary assignment to the Evening Herald Publishing Company; Station KECA, Los Angeles, asked to change its frequency from 1430 to 780 kilocycles; Don Lee Broadcasting System asked for a construction permit for a new station at Redland, Calif.; and KFBK, Sacramento, asked to change its frequency from 1310 to 1430 kilocycles and to increase its power from 100 to 500 watts.

In Report No. 512, Ralph L. Waker, e., recommends that the application of KECA be denied; that the application of the Don Lee Broadcasting Company be granted; that the application of KFBK to change its frequency be denied; that the application of KTM for license renewal and assignment be denied; and that the application of KELW for license renewal and assignment also be denied.

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Associated Gold Mines, Ltd., Downieville, Calif. (2-266)
Barium Steel Corporation, Canton, Ohio. (2-268)
Byron Gold Mining Company, Omaha, Nebr. (2-261)
Custer-Hyantha Gold Mining Company, New York City. (2-269)
Diversified Royalties, Ltd., Los Angeles, Calif. (2-267)
Mohawk Brewing Company. Pittston, Pa. (2-260)
Security National Bank of Everett, Everett, Wash. (2-262)
Theonett Wine & Distilleries Corporation, Chicago, Ill. (2-263)
Traders Corporation, New York City. (2-265)
Vulcan Gold Mines Company, Los Angeles, Calif. (2-264)
Allied Brewing & Distilling Company, Inc., Brooklyn, N. Y. (2-275)
Bankers National Investing Corporation, Wilmington, Del. (2-286)
Bondholders' Protective Committee, Black Hawk Hotels Corporation First Mortgage Sinking Fund Six Per Cent Gold Bonds. Davenport, Iowa. (2-281)
Purnelli Aircraft, Ltd., Dover, Del. (2-289)

Colonial Distilleries Products, Inc., St. Louis, Mo. (2-284)
Committee for the Protection of Holders of Bonds Known as Detroit Olympia Building Six and One-Half Per Cent First Mortgage Sinking Fund Gold Bonds, Detroit, Mich. (2-271)
Distillers Products Corporation, Weehawken, N. J. (2-273)
Foust Distilling Company, Glen Rock, Pa. (2-270)
Golden West Mining Company, Libby, Mont. (2-276)
Huron Copper Company, Tacoma, Wash. (2-288)
Knoxville Gas Company, Knoxville, Tenn. (2-280)
Messenger Corporation, Auburn, Ind. (2-272)
Transcontinental Oil & Gas Corporation, Hornell, N. Y. (2-283)
Mt. Ophir Mining Company, Lancaster, Calif. (2-282)
National Address Plate Company, Inc., Chicago, Ill. (2-278)
New York Tobacco & Commodities Exchange, New York City. (2-279)
Old Gilmore Distillery, Inc., New York City. (2-287)
Olymphia, Inc., Detroit, Mich. (2-274)
Peerless Motor Car Corporation, New York City. (2-285)
Shamrock Gold Mining Company, Downieville, Calif. (2-277)

LAFOUNT AMENDS RESOLUTION

Commissioner Lafount withdrew his resolution of October 3, 1933, requiring detailed reports to the Federal Radio Commission of all transfer of stock, and in lieu thereof submitted the following resolution which was referred to the Legal Division for study and report:

"WHEREAS Section 12 of the Radio Act of 1927 as amended provides that the station license required by the Act, the frequencies or wave length or lengths authorized to be used by a licensee and the rights therein granted shall not be transferred, assigned or in any manner either voluntarily or involuntarily disposed of to any person, firm, company, or corporation without the consent in writing of the licensing authority, and

WHEREAS Section 10 of the Radio Act of 1927 provides that all applications for instruments of authorization shall set forth such facts as the licensing authority by regulation may prescribe as to the citizenship, character, financial, technical and other qualifications of the applicant to operate the station, the ownership and location of the proposed station, etc., and

WHEREAS Section 21 of the Radio Act of 1927 provides that the rights acquired by any licensee shall not be assigned or *otherwise transferred* to any person, firm. company, or corporation without the approval of the licensing authority, and

WHEREAS it has come to the attention of the Commission that several licensees of stations which are owned by corporations have changed their identity through a change of stock ownership of such corporations to such an extent as to constitute a complete change in the parties actually operating the station, and

WHEREAS such changes in the actual operation of the stations were accomplished without notification to the Commission and no existing rule or regulation required the Commission to be notified thereof, and

WHEREAS the Commission has no means of determining when such changes occur or whether they will serve public interest, convenience and necessity, and the result of such lack of rule or regulation with reference thereto has been the considerable trafficking in station licenses without the control of the Commission, and

WHEREAS under the sections of the Radio Act of 1927 hereinabove set forth, the Commission has the power of making regulations to secure information as to any or all changes in stock ownership which may result in the change in the actual operation of the station for the purpose of carrying out its duty of determining whether such changes constitute an assignment of license and will serve public interest, convenience and/or necessity

NOW, THEREFORE, BE IT RESOLVED that the Federal Radio Commission revise its form of application for renewal of license and/or construction permit to include the following questions:

> Give list of stockholders of record owning 10% or more of the stock of the licensee corporation as of renewal date showing the number of shares held by each, the city and state in which each resides, and the citizenship of each.
>
> List of officers as of renewal date, city and state where each resides, and citizenship of each.

BE IT FURTHER RESOLVED that the Commission amend its Rules and Regulations so as to require licensee corporations to report to the Commission the transfer of 10% or more of its stock to any purchaser during any license period, together with the name of each such stockholder and the citizenship and residence of each such purchaser."

LAFOUNT FOR INCREASED DAY POWER

Commissioner Lafount submitted the following resolution, which was referred to the Legal and Engineering Divisions for study and report:

"WHEREAS Section 9 of the Radio Act of 1927 declares: 'That the people of all the zones established by Section 2 of the Act are entitled to equality of radio broadcasting service, both of transmission and of reception,' and

WHEREAS radio broadcasting stations separated by kilocycles and miles consistent with the recommendations of the Engineering Division are less effective during daylight hours, and

WHEREAS the public is entitled to satisfactory reception of both day and night programs, and

WHEREAS many important programs, including weather and crop reports, are broadcast during the day,

I MOVE THAT an increase of day power not in excess of fifty per cent of the authorized night power be granted any regional station making a satisfactory showing of the necessity therefor, and that such increased day power be not charged to quota providing the mileage and kilocycle separation is consistent with the current recommendations of the Engineering Division. If the mileage and kilocycle separation is not as here provided, then any increased day power shall be charged to quota."

Discussing the resolution, Commissioner Lafount said:

"There exists a necessity for additional day service in rural areas. The object here sought is to more nearly equalize the reception of radio signals."

MEMBERSHIP APPLICATIONS APPROVED

The Board of Directors of the NAB held two meetings during the Convention at White Sulphur Springs, West Virginia. At each of these meetings the Managing Director presented for the action of the Board a number of applications for membership. All of the applications were approved and the list of 26 stations now being welcomed into the NAB follows:

KCMC, Texarkana, Ark.
KERN, Bakersfield, Calif.
KFJR, Portland, Ore.
KFPY, Spokane, Wash.
KGCX, Wolf Point, Mont.
KGEZ, Kalispell, Mont.
KID, Idaho Falls, Idaho
KLUF, Galveston, Tex.
KSOO, Sioux Falls, S. D.
KWG, Stockton, Calif.
WBNX, New York, N. Y.
WBOW, Terre Haute, Ind.
WCAH, Columbus, Ohio
WDOD, Chattanooga, Tenn.
WESG, Elmira, N. Y.
WGH, Newport News, Va.
WHBF, Rock Island, Ill.
WKBF, Indianapolis, Ind.
WOPI, Bristol, Tenn.
WRAM, Wilmington, N. C.
WREN, Lawrence, Kans.
WSFA, Montgomery, Ala.
WSOC, Gastonia, N. C.
WSUN, St. Petersburg, Fla.
WTRC, Elkhart, Ind.
WWRL, Woodside, N. Y.

CONVENTION ATTENDANCE LIST

A total of 229 members and guests attended the eleventh annual convention at White Sulphur Springs, W. Va., last week. The registration list follows:

Adler, Ben, RCA-Victor Company, Atlanta, Ga.; Aitkenhead, John, WADC, Akron, Ohio; Anthony, Earl C., KFI-KECA, Los Angeles, Calif.; Arnoux, Campbell, KTHS, Hot Springs, Ark.

Baker, I. R., RCA-Victor Company, Camden, N. J.; Baldwin, J. W., National Association of Broadcasters, Washington, D. C.; Barroll, Hope, WFBR, Baltimore, Md.; Barth, H. C., WSYR, Syracuse. N. Y.; Bellows, Henry A., WJSV, Washington, D. C.; Bemis, W. H., Baker, Hostetler, Sidlo & Patterson, Cleveland, Ohio; Benson, J., American Association of Advertising Agencies, New York, N. Y.; Benson, L. A., WIL, St. Louis, Mo.; Bill, E. L., WMBD, Peoria, Ill.; Bisbee, F. C., Electrical Research Products, Inc., New York, N. Y.; Bishop, F. L., KLZ, Denver, Colo.; Blair, J. P., Greig, Blair & Co., Chicago, Ill.; Bliss, S. H., WCLO, Janesville, Wis.; Bodec, Ben, Variety, New York, N. Y.; Boniel, R. D., Edward Petry & Co., Inc., Chicago, Ill.; Bowen, S. H., WIBX, New York, N. Y.; Brandon, W. M., WOC-WHO, Davenport, Iowa; Breen, Marie E., Station Representative, New York, N. Y.; Brennen, H. J., WJAS, Pittsburgh, Pa.; Brennen, K. H., WJAS, Pittsburgh, Pa.; Bridges, W. C., WEBC, Duluth, Minn.; Buckwalter, I. Z., WGAL, Lancaster, Pa.; Burke, Rev. Wallace, WWL, New Orleans, La.; Burton, C. W., WEEI, Boston, Mass.

Campbell, M. B., WFAA, Dallas, Tex.; Cargill, E. K., WMAZ, Macon, Ga.; Carpenter, H. K., WPTF, Raleigh, N. C.; Carter, M., Allied Broadcasting Corp., Hollywood, Calif.; Caulfield, S. W., WBNX, New York, N. Y.; Chambers, J. A., WLW-WSAI, Cincinnati, Ohio; Chilton, A. L., KRLD, Dallas, Tex.; Church, Arthur B., KMBC, Kansas City, Mo.; Clancy, J. F., WTIC, Hartford, Conn.; Codel, Martin, Broadcasting Magazine, Washington, D. C.;

Cohan, E. K., Columbia Broadcasting System, New York, N. Y.; Convey, T. P., KWK, St. Louis, Mo.; Cook, S. H., WFBL, Syracuse, N. Y.; Cosman, J. V., Federal Telegraph Company, Paterson, N. J.; Coulson, W. L., WHAS, Louisville, Ky.; Craig, Norman, Scott Howe Bowen, Inc., New York, N. Y.; Crane, J. B., Broadcasting Magazine, Washington, D. C.; Craney, E. B., KGIR, Butte, Mont.; Craven, T. A. M., WPEN, Washington, D. C.; Crystal, Hank, Edward Petry & Company, New York, N. Y.; Cunningham, F. W., Radio Institute of Engineers, New York, N. Y.

Damm, Walter J., WTMJ, Milwaukee, Wis.; Davidson, W. M., WLS, Chicago, Ill.; Davis, Don, WHB, Kansas City, Mo.; Davis, G. W., Electrical Research Products, Inc., New York, N. Y.; Davis, G. W., Willard Tablet Company, Chicago, Ill.; Deutsch, P. L. World Broadcasting System, New York, N. Y.; Dirks, D., KFAB, Lincoln, Nebr.; Dowd, C. J., National Association of Broadcasters, Washington, D. C.; Dyer, G. T., WGES-WSBC, Chicago, Ill.

Eaves, A. J., Graybar Electric Company, New York, N. Y.; Earl, Guy, KNX, Los Angeles, Calif.; Ellis, G. D., Free & Sleininger, Chicago, Ill.

Fellows, H. E., WEEI, Boston, Mass.; Fernald, Dan, Scott Howe Bowen, Inc., New York, N. Y.; Field, Lawrence, Scott Howe Bowen, Inc., Chicago, Ill.; Fisher, T., Broadcasting Magazine, Forest Hills, N. Y.; Fitzer, H. Dean, WDAF, Kansas City, Mo.; Fitzpatrick, Leo, WJR, Detroit, Mich.; Flamm, Donald, WMCA, New York, N. Y.; Flanigan, E. Y., WSPD, Toledo, Ohio; Foote, E. B., Ernest B. Foote, New York, N. Y.; Fox, L. J., WSM, Nashville, Tenn.; Frieder, O. E., Willard Tablet Company, Chicago, Ill.; Fritz, C. W., WSUN, St. Petersburg, Fla.

Gamble, F. R., American Association of Advertising Agencies, New York, N. Y.; Gammons, E. H., WCCO, Minneapolis, Minn.; Gannon, C. F., American Association of Advertising Agencies, New York, N. Y.; Gavin, T., WEBC, Duluth, Minn.; Gedge, W. W., WMBC, Detroit, Mich.; Gillett, G. D., G. D. Gillett, Washington, D. C.; Gillin, J. J., WOW, Omaha, Nebr.; Gish, E. B., KGRS, Amarillo, Tex.; Gleason, Mrs. Gertrude, Special, Cleveland, Ohio; Gove, E. L., WHK, Cleveland, Ohio; Greaves, V. F., Federal Radio Commission, Washington, D. C.; Greggory, S., KDKA, Chicopee Falls, Mass.; Greig, H. J., Greig, Blair & Co., New York, N. Y.; Grubb, G. V., WKY, Oklahoma City, Okla.; Guider, J. W., KHJ, Washington, D. C.

Halff, H., WOAI, San Antonio, Tex.; Hayes, C. W., WHBC, Canton, Ohio; Hedges, William S., KDKA, Pittsburgh, Pa.; Hendry, A. B. WIL, St. Louis, Mo.; Higgins, H. C., Station Representative, New York, N. Y.; Hoessly, H. H., WAIU, Columbus, Ohio; Hogan, John V. L., W2XR, New York, N. Y.; Hollinshead, M. A., Campbell Ewald Company, Detroit, Mich.; Hollister, H., WLBF, Kansas City, Kans.; Hopkins, J. F., WJBK, Detroit, Mich.; Hopson, B. H., WAPI, Birmingham, Ala.; Horn, C. W., National Broadcasting Co., Inc., New York, N. Y.; Hostetler, J. C., Baker, Hostetler, Sidlo & Patterson, Cleveland, Ohio; Howlett, M. A., WHK, Cleveland, Ohio; Howlett, E. S., WAIU, Columbus, Ohio; Howlett, H., WHK, Cleveland, Ohio; Hubbard, S. E., KSTP, St. Paul, Minn.

Jansky, C. M., Jr., Jansky & Bailey, Washington, D. C.; Jessup, Margaret E., McCann Erickson, Inc., New York, N. Y.; Johnson, J. A., WTAX, Springfield, Ill.; Jolliffe, C. B., Federal Radio Commission, Washington, D. C.; Jordon, R. P., WDBJ, Roanoke, Va.

Karol, J. J., WABC, New York, N. Y.; Kaufman, J. L., WCAE, Pittsburgh, Pa.; Kay, Lambdin, WSB, Atlanta, Ga.; Kendrick, D. E., WKBF, Indianapolis, Ind.; Kercher, G. A., Edward Petry & Co., Chicago, Ill.

Levy, I. D., WCAU, Philadelphia, Pa.; Levy, Leon, WCAU, Philadelphia, Pa.; Lohnes, H. L., KVOO, Washington, D. C.; Loucks, Philip G., National Association of Broadcasters, Washington, D. C.; Lounsberry, I. R., WGR-WKBW, Buffalo, N. Y.; Loyet, Paul A., WOC-WHO, Des Moines, Iowa; Lucy, C. T., WRVA, Richmond, Va.; Lyons, J. T., WCAO, Baltimore, Md.

McCollough, C. R., WGAL, Lancaster, Pa.; McCosker, Alfred J., WOR, Newark, N. J.; McCurdy, B., Graybar Electric Company, Kansas City, Mo.; McIver, J. W., WWNC, Asheville, N. C.; McNary, J. C., National Association of Broadcasters, Washington, D. C.; MacPherson, J. R., WIBO, Chicago, Ill.; Macy, J. W., Scott Howe Bowen, Inc., Chicago, Ill.; Maland, J. O., WOC-WHO, Des Moines, Iowa; Marchal, E. A., WADC, Akron, Ohio; Mark, Le Roy, WOL, Washington, D. C.; Maslin, R. S., Jr., WFBR, Baltimore, Md.; Mieghan, Howard S., Scott Howe Bowen, Inc., New York, N. Y.; Melrose, G. C., WJAY, Cleveland, Ohio; Merquelin, J. A., Western Electric Company, New York, N. Y.; Meyer, P. J., KFYR, Bismarck, N. Dak.; Meyers, C. J., WGN, Chicago, Ill.; Midgley, C. E., Jr., Barton, Batson, Durstine & Osborne, New York, N. Y.; Monahan, H., Advertising Age, New York, N. Y.; Murray, G. A., Western Electric Company, New York, N. Y.; Musselman, B. B., WCBA-WSAN, Allentown, Pa.; Myers, C. W., KOIN, Portland, Ore.

Neebe, J. H., J. H. Neebe Company, Detroit, Mich.; Norton, George W., WLAP, Louisville, Ky.

O'Fallon, Gene, KFEL, Denver, Colo.

Palmer, D. D., WOC-WHO, Des Moines, Iowa; Palmer, F. A., WCAH, Columbus, Ohio; Patt, J. F., WGAR, Cleveland, Ohio; Petry, Edward, Edward Petry & Company, New York, N. Y.; Phillips, C. F., WFBL, Syracuse, N. Y.; Pickard, S., Columbia Broadcasting System, New York, N. Y.; Platt, B., Broadcasting Magazine, Washington, D. C.; Price, C. U., KFH, Wichita, Kans.; Provensen, H. A., WLBW, Erie, Pa.; Pyle, K. W., KFBI, Abilene, Kans.

Raymer, P. H., KSTP, New York, N. Y.; Read, H. C., A. T. & T. Co., New York, N. Y.; Reynolds, R. M., Edward Petry & Co., Atlanta, Ga.; Richard, G. A., WJR, Detroit, Mich.; Richardson, O. E., Western Electric Company, New York, N. Y.; Rintoul, S. R., World Broadcasting System, New York, N. Y.; Robinson, H., Jr., Young & Rubicam, Inc., New York, N. Y.; Robinson, I. E., Judge, Washington, D. C.; Rohr, E. C., Electrical Research Products, Inc., Chicago, Ill.; Rubin, M. F., WJAY, Cleveland, Ohio; Runyon, M. R., WABC, New York, N. Y.; Russell, Frank M., WRC, Washington, D. C.; Ryan, J. H., WSPD, Toledo, Ohio.

Sadenwater, H., RCA-Victor Company, Haddonfield, N. J.; Scharfeld, A. W., WGN, Washington, D. C.; Schrieber, J. A., WKBF, Indianapolis, Ind.; Schudt, W. A., WBT, Charlotte, N. C.; Schuette, Oswald F., National Association of Broadcasters, Washington, D. C.; Segal, P. M., WCSH, Washington, D. C.; Shaw, Harry, WMT, Waterloo, Iowa; Shepard, John, III, WNAC, Boston, Mass.; Shott, J. H., WHIS, Bluefield, W. Va.; Simmons, A. T., WADC, Akron, Ohio; Slavick, H. W., WMC, Memphis, Tenn.; Sleininger, C. L., Free & Sleininger, Chicago, Ill.; Smith, G. S., WCSH, Washington, D. C.; Smith, G. W., WWVA, Wheeling, W. Va.; Smith, J. L. M., WBIG, Greensboro, N. C.; Smith, T., RCA-Victor Company, New York, N. Y.; Smith, V. H., WREN, Lawrence, Kans.; Snyder, G., WLS, Chicago, Ill.; Soule, R. G., WFBL, Syracuse, N. Y.; Spence, E. M., WPG, Atlantic City, N. J.; Squire, B., WGAR, Cleveland, Ohio; Stein, A., World Broadcasting System, New York, N. Y.; Stewart, J., WFBR, Baltimore, Md.; Stone, H. L., WSM, Nashville, Tenn.; Storey, J. J., WTAG, Worcester, Mass.; Sutton, G. O., Washington, D. C.; Sykes, E. O., Federal Radio Commission, Washington, D. C.

Taishoff, S., Broadcasting Magazine, Washington, D. C.; Tasselli, R., G. Ricordi & Co., New York, N. Y.; Taylor, C. M., WBEN, Buffalo, N. Y.; Taylor, G., Broadcasting Magazine, Washington, D. C.; Tevis, G. L., KMOX, St. Louis, Mo.; Thomas, N. A., WDOD, Chattanooga, Tenn.; Thompson, R. M., KQV, Pittsburgh, Pa.; Thompson, R., WFBG, Altoona, Pa.; Twamley, E. H., WBEN, Buffalo, N. Y.; Tyson, Levering, National Advisory Council on Radio in Education, New York, N. Y.

Vance, H. C., RCA-Victor Company, Chicago, Ill.; Van Volkenburg, Jack L., KMOX, St. Louis, Mo.; Veynow, E. E., Edward Petry & Co., Chicago, Ill.

Walker, L., Graybar Electric Company, Richmond, Va.; Walker, Nolan S., WHBC, Canton, Ohio; Ward, J. T., WLAC, Nashville, Tenn.; Warren, W. W., KOMO-KJR, Seattle, Wash.; Webber, F., WMAQ, Chicago, Ill.; Weddell, W. L., Erwin Wasey & Co., Chicago, Ill.; Weiss, L. A., WJR, Detroit, Mich.; West, William H., KSD, St. Louis, Mo.; Wheelahan, H., WSMB, New Orleans, La.; Whittemore, L. E., A. T. & T. Co., New York, N. Y.; Williamson, W. P., WKBN, Youngstown, Ohio; Wilson, L. B., WCKY, Covington, Ky.; Wilson, W. A., WOPI, Briston, Tenn.; Winger, E. W., WDOD, Chattanooga, Tenn.; Withycomb, D., National Broadcasting Co., Inc., New York, N. Y.; Wooten, H. B., WREC, Memphis, Tenn.

Young, G. W., WDGY, Minneapolis, Minn.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

Wednesday, October 18, 1933

Oral Argument before Commission en banc

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authorization, **610 kc.**, 1 KW (exp.), unlimited time. Present assignment, **610 kc.**, 500 watts, unlimited time.

WFI—WFI Broadcasting Company, Philadelphia, Pa.—Modification of license. **560 kc.**, 1 KW, share with WLIT. Present assignment, **560 kc.**, 500 watts, shares with WLIT.

WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license, **560 kc.**, 1 KW, share with WFI. Present assignment, **560 kc.**, 500 watts, shares with WFI.

Friday, October 20, 1933

NEW—Ray M. Thompson, Youngstown, Ohio—CP, **1370 kc.**, 100 watts, unlimited time (facilities of WHBD).

WHBD—F. P. Moler, Mt. Orab, Ohio—Renewal, **1370 kc.**, 100 watts, unlimited time.

NEW—Wm. L. Slade, Hamilton, Ohio—CP, **1420 kc.**, 100 watts, unlimited time (facilities of WHBD).

APPLICATIONS SET FOR HEARING

NEW—Thos. B. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—CP for new station, **740 kc.**, 250 watts day; daytime operation.

WCAH—Commercial Radio Service Co., Columbus, Ohio—Modification of license to increase day power from 500 watts to 1 KW.

WHAS—The Courier Journal Co. and The Louisville Times Co., Louisville, Ky.—CP to make changes in equipment and increase power from 25 KW to 50 KW. (To be heard before Commission en banc on Nov. 22.)

KNX—Western Broadcast Co., Los Angeles, Calif.—Modification of license to increase power from 25 to 50 KW. (To be heard before Commission en banc, Nov. 22.)

WMBR—F. J. Reynolds, Tampa, Fla.—Consent to voluntary assignment of license to F. J. Reynolds, Inc. Also CP to move station from Tampa to Jacksonville, Fla.

WPFB—W. E., F. E., and P. L. Barclift, d/b as Hattiesburg Broadcasting Co., Hattiesburg, Miss.—CP to move transmitter and studio from Hattiesburg, Miss., to Tuscaloosa, Ala.

NEW—G. M. Duntley, San Francisco—CP for new station to operate on **930 kc.**, 500 watts, share with KROW (facilities of KFWI).

KGDE—Charles L. Jaren, Fergus Falls, Minn.—Renewal of license.

KGIX—J. M. Heaton, Las Vegas, Nev.—Renewal of license.

WGCP—May Radio Broadcast Corp., Newark, N. J.—CP to install new equipment and increase power from 250 watts to 1 KW night, 2½ KW day. (Commissioner Lafount voted to grant without hearing.)

KFDY—South Dakota State College, Brookings, S. Dak.—Modification of license to change frequency from **550 kc.** to **780 kc.**

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Modification of license to change hours of operation from specified to unlimited.

APPLICATIONS GRANTED

First Zone

WHEC—WHEC, Inc., Rochester, N. Y.—Granted extension of special temporary experimental authorization for simultaneous operation with WCAH, WHP, WOKO, and WFEA, until Feb. 1, 1934.

WOKO—WOKO, Inc., Albany, N. Y.—Granted extension of special temporary experimental authorization for simultaneous operation with WCAH, WHP, WHEC, and WFEA, until Feb. 1, 1934.

WCAH—WOKO, Inc., Albany, N. Y.—Granted renewal of license in accordance with existing license.

WHEC—WHEC, Inc., Rochester, N. Y.—Granted renewal of license in accordance with existing license.

WOKO—WOKO, Inc., Albany, N. Y.—Granted renewal of license in accordance with existing license.

Second Zone

WCOD—Keystone Broadcasting Corp., Harrisburg, Pa.—Granted CP to move transmitter and studio locally in Harrisburg.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted CP to make changes in equipment.

WSAJ—Grove City College, Grove City, Pa.—Granted special temporary authorization to operate from 2 to 4:30 p. m., EST, Oct. 14 and Nov. 25.

WCAH—Commercial Radio Service Co., Columbus, Ohio—Granted extension of special temporary experimental authorization for simultaneous operation with WOKO, WHP, WHEC, and WFEA, to Feb. 1, 1934.

WHP—WHP, Inc., Harrisburg, Pa.—Granted extension of special temporary experimental authorization for simultaneous operation with WOKO, WHEC, WCAH, and WFEA, to Feb. 1, 1934.

WHP—WHP, Inc., Harrisburg. Pa.—Granted renewal of license in accord with existing license.

Third Zone

WNRA—Kathryn Jones, Florence, Ala.—Granted modification of CP approving transmitter location at Muscle Shoals City, Ala., and studio location from Florence, Ala., to Muscle Shoals City; changing type of equipment and extending commencement date to 15 days from this date and completion date to 105 days from this date.

WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Granted modification of CP extending completion date to Feb. 1, 1934.

KNOW—KUT Broadcasting Co., Austin, Tex.—Granted modification of CP extending commencement date to Sept. 29 and completion date to Dec. 29, 1933.

WRUF—University of Florida, Gainesville, Fla.—Granted authority to operate simultaneously with KOA from 8 p. m. on Oct. 14.

WKFI—J. Pat Scully, Greenville, Miss.—Granted CP to move station from Greenville to Greenwood, Miss.

WAMC—Raymond C. Hammet, Anniston, Ala.—Granted modification of CP extending commencement date to Nov. 15 and completion date to Feb. 15.

WAML—Southland Radio Corp., Laurel, Miss.—Granted authority to operate from 7 to 10 p. m., Nov. 30, and from 2 to 4 p. m., Oct. 27.

WKEU—Allen Wright Marshall, Sr. and Jr., and Guy Aaron Malcom, LaGrange, Ga.—Granted voluntary assignment of license to Radio Station WKEU.

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted consent to voluntary assignment of license to WMC, Inc.

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted authority to use auxiliary transmitter for one week from Oct. 15 while installing main transmitter at new location.

WLBC—Donald A. Burton, Muncie, Ind.—Granted CP to make changes in equipment and increase power from 50 to 100 watts.

KFNF—Henry Field Co., Shenandoah, Iowa; WILL—University of Illinois, Urbana, Ill.—Granted authority to operate simultaneously Oct. 14, from 1:45 to 4:45 p. m.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authorization to operate from 8 to 8:45 p. m., CST, Oct. 18, provided KFYR remains silent.

WMBH—W. M. Robertson, Joplin, Mo.—Granted special temporary authorization to operate from 2:30 to 6 p. m., CST, on Oct. 13 and 27, and Nov. 4 and 24, 1933; and from 3 to 6 p. m., CST, Oct. 19.

WDGY—Dr. Geo. M. Young, Minneapolis, Minn.—Granted modification of CP extending completion date to Nov. 30, 1933.

Fifth Zone

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted permission to operate transmitter without approved monitor so that it may be sent to manufacturer to be recalibrated, for 30 days.

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted authority to operate without approved frequency monitor for period of 3 weeks while exchanging monitor.

KGBX—KGBX, Inc., Springfield, Mo.—Granted reconsideration of informal application requesting authority to operate unlimited time to Dec. 1, 1933, pending Commission's decision on application for consent to assignment of license for KGBX to this applicant.

APPLICATIONS RECEIVED

First Zone

WMAS—WMAS, Inc., Springfield, Mass.—Modification of construction permit granted 7-21-33 (to increase day power to 250 watts and make changes in equipment) to extend commencement and completion dates and to change equipment.

WHN—Marcus Loew Booking Agency, New York City, N. Y.—Modification of construction permit granted 6-20-33 (move transmitter to Astoria, N. Y.) to extend date of completion to 12-1-33.

NEW—Northern Broadcasting Co., Inc., Laconia, N. H.—Construction permit for new station to use **1310 kc.**, 100 watts, unlimited (facilities WKAV, Laconia, N. H.), amended re equipment.

NEW—Julio M. Conesa, Ponce, Puerto Rico—Construction permit for new station to use **1420 kc.**, 100 watts night, 250 watts to local sunset, specified hours, amended as to specified hours requested and equipment.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Construction permit to increase power from 250 watts to 500 watts and install new equipment, amended to change transmitter location, exact location to be determined subject to approval of Commission, 1 to 2 miles south of Secaucus along Hackensack River.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine—Construction permit to change transmitter locally to National Bank Bldg., Presque Isle, Maine, and make changes in equipment.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit granted 3-31-33 (move transmitter) to extend date of completion to 12-1-33.

WMCA—Knickerbocker Broadcasting Co., Inc., New York, N. Y. —License for authority to use WPCH's transmitter as auxiliary for WMCA to be located at WMCA's present main transmitter location.

Second Zone

NEW—M. L. Myers, DBA Richland Sound Systems, Mansfield, Ohio—Construction permit for new station to use **1310 kc.**, 50 watts, daytime (facilities WHBD, Mt. Orab, Ohio).

WDBJ—Times-World Corporation, Roanoke, Va.—Modification of license to increase night power from 250 watts to 500 watts. Resubmitted with request that it be considered regardless of Rule 6.

WCAH—Commercial Radio Service Co., Columbus, Ohio—Modification of license to increase power from 500 watts to 500 watts night, 1 KW to local sunset (supersedes 2-P-B-3021).

Third Zone

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Special experimental authorization to operate 25 KW until local sunset to May 1, 1934.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Construction permit to make changes in equipment.

NEW—Pecan Valley Broadcasting Co. (Walter J. Stewart, President), near Brownwood, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited (facilities WDAH, El Paso, Tex.). Resubmitted, corrections made.

NEW—Ark-La-Tex Radio Corp., Tuscaloosa, Ala.—Construction permit for new station to use **1310 kc.**, 100 watts, unlimited (facilities WAML, Laurel, Miss.). Amended to request **1290 kc.**

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modification of license to increase power from 250 watts to 500 watts night, 1 KW local sunset (facilities of WRUF, Gainesville, Fla.). Amended to request 1 KW day and night.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license to change from daytime to specified hours. Resubmitted, corrections made.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—License to cover construction permit granted 9-22-33.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—License to cover construction permit granted 11-17-31 for 25 KW.

WBRO—Frank M. King, Receiver of Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Consent to involuntary assignment of license from Birmingham Broadcasting Co., Inc., to Frank M. King, Receiver.

KWWG—Frank P. Jackson, Brownsville, Tex.—Consent to voluntary assignment of license to Port Arthur College.

KWWG—Port Arthur College, Port Arthur, Tex.—Construction permit to move Station KWWG from Brownsville to Port Arthur, Tex., provided assignment of license granted.

NEW—Earl Marvin Nail. Lubbock, Tex.—Construction permit for new station to use **1310 kc.**, 100 watts, share KFYO (facilities KFYO, Lubbock, Tex.). Amended to change street address of proposed transmitter location to 1410 17th St., and changes re equipment.

NEW—Harry E. Phelps, Sweetwater, Tex.—Construction permit for new station to use **1500 kc.**, 50 watts, daytime hours.

Fourth Zone

KGDY—Voice of South Dakota, Huron, S. Dak.—License to cover construction permit granted 2-21-33, for changes in equipment and change frequency, power, and hours of operation from **1200 kc.**, 100 watts, unlimited, to **1340 kc.**, 250 watts, daytime.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Modification of construction permit granted 6-16-33 (move transmitter) to extend date of completion to 11-17-33.

Fifth Zone

KGIW—Leonard E. Wilson, Trinidad, Colo.—License to cover construction permit granted 8-18-33 to make changes in equipment and to move transmitter and studio to Alamosa, Colo.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Construction permit to change transmitter locally, change equipment, and increase power from 1 KW day and night to 1 KW night, 2½ KW daytime.

NEW—Thomas R. McTammany and William H. Bates, Jr., Modesto, Calif.—Construction permit for new station to use **750 kc.**, 250 watts, daytime. Amended to request **740 kc.**

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—License to cover construction permit granted 6-30-33 for new station to use **1200 kc.**, 100 watts, daytime.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Construction permit for new equipment, change hours from S-KFWI to unlimited. Amended as to equipment, move transmitter from Richmond to Oakland, Calif., and omit request for unlimited hours.

NEW—The Wyoming Broadcasting Co. (R. E. Carroll, Owner), Sheridan, Wyo.—Construction permit for new station to use **1370 kc.**, 100 watts, unlimited time. Amended re proposed street address for transmitter, equipment, and to request specified hours of operation.

APPLICATIONS DENIED

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Denied authority to remain silent pending Commission's decision on application to move station, or until certain arrangements can be consummated for new quarters.

KGBX—KGBX, Inc., Springfield, Mass.—Denied authority to operate unlimited time pending decision on application of voluntary assignment of license of KGIZ.

KLUF—Geo. Roy Clough, Galveston, Tex.—Denied authority to reduce unlimited hours of operation to specified for period of 6 months ending May 1, 1934, and suspension of Rule 151 for that period.

KUOA—KUOA, Inc., Fayettesville, Ark.—Denied authority to operate until 6:30 p. m., pending filing of application.

MISCELLANEOUS

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Reconsidered action of Sept. 29 granting special temporary authorization to operate on Nov. 24, and changed date to Nov. 30.

KRLD—KRLD Radio Corp., Dallas, Tex.—Reconsidered action of Sept. 29 granting special temporary authorization to operate on Nov. 24, and changed date to Nov. 30.

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y. —Application for special temporary authorization to operate until 7 p. m. during September and October, heretofore set for hearing, was dismissed at applicant's request.

APPLICATIONS RETURNED

KUOA—KUOA, Incorporated, Fayetteville, Ark.—Modification of license to change hours of operation from daytime to day to 6:30 p. m. during winter months. (Wrong form—filed on construction permit form.)

WBT—Station WBT, Inc., Charlotte, N. C.—Application for authority to use an additional 25 KW experimentally. (Wrong form—should be 307.)

NEW—Fred W. Christian, Jr., and Raleigh W. Whiston, Norco, Calif.—Construction permit for new station to use **1280 kc.**, 500 watts, unlimited hours, to be considered under 6 (g). (Equipment unsatisfactory.)

NEW—Samuel Nathanuel Morris, Stamford, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts, limited time, also share time with KFPL and KFYO. (Rule 77, time incorrectly stated, frequency monitor, insufficient information on proposed location.)

NEW—Philip N. Hobson, Medford, Mass.—Construction permit for new station to use **1500 kc.**, 100 watts night, 250 watts local sunset. (No reply to letters.)

WDBJ—Times-World Corporation, Roanoke, Va.—Modification of station license to increase night power from 250 watts to 500 watts. (Rules 6 c and d.)

WGCM—Grace Jones Stewart, under trade name of Great Southern Land Co. (not Incorporated), Gulfport, Miss.—Renewal of station license. (Rule 13.)

NEW—P. B. Newman, Sacramento, Calif.—Construction permit for new station to use **1490 kc.**, 5 KW, unlimited time. (Reply not received to letters.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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BROADCAST ADVERTISING IN AUGUST

With the publication of the summaries for radio broadcast advertising volume in August, the second NAB Statistical Service report makes its appearance. Due to code hearings and to the NAB Convention, the report has been slightly delayed. It is expected that with the September report, it will become possible to present monthly summaries of radio broadcast advertising trends within thirty days after the collection of information from cooperating stations. Plans are also being made for the extension of the sample upon which the reports are based.

Advertising Trends in August

The total volume of broadcast advertising over national and regional networks and individual stations for the month of August is found in Table I:

TABLE I

TOTAL RADIO BROADCAST ADVERTISING VOLUME

	1933 Gross Receipts		
Class of Business	*July*	*August*	*Cumulative July-August*
National networks	$1,809,473.00	$1,907,481.00	$3,716,954.00
Regional networks	16,069.00	32,262.00	48,331.00
Individual stations	2,092,899.00	1,753,504.00	3,846,403.00
Total	$3,918,441.00	$3,693,247.00	$7,611,688.00

Total expenditures for broadcast advertising during the month of August were somewhat below those of July. August revenues for stations and networks totaled $3,693,246.00 as against $3,918,441.00 for the previous month, representing a decline of approximately 5.9%.

The decline in broadcast advertising volume was entirely in the field of individual station business, station revenues dropping 11.4% from the July level. A marked increase was experienced in regional network revenues. National network revenues increased 5.2% in August over the July volume. This is particularly encouraging, since in previous years August network advertising has tended to decline from 5% to 10% as compared with the preceding month. National networks have been improving their position since the low point of last April when network revenues lagged 38.5% behind that of the previous year. August revenues are but 16% behind those of the same month of 1932, while network revenues for the first eight months of 1933 are but 31% behind those of last year.

Comparison with Other Media

During August, increases were experienced by the leading advertising media of the country. Expenditures for advertising space in 108 leading general magazines increased 8.2% over July, and lagged but 4% behind August, 1932. National farm papers gained 53% over the preceding month, while newspapers gained 16.5%. Farm paper advertising was 19% behind August, 1932, and lagged 27% behind 1932 for the first eight months. Newspaper advertising was 9.5% under the August, 1932, volume, and 15% less than the volume for the first eight months of that year. August expenditures for leading advertising media are found in Table II:

TABLE II

ADVERTISING VOLUME MAJOR MEDIA

	1933 Gross Receipts		
Advertising Medium	*July*	*August*	*Cumulative July August*
Radio broadcasting	$3,918,441.00	$3,693,247.00	$7,611,688.00
National magazines[1]	6,096,540.00	6,644,831.00	12,741,371.00
National farm papers	236,505.00	373,134.00	609,639.00
Newspapers[2]	32,450,000.00	37,790,096.00	70,240,096.00
Total	$42,701,486.00	$48,501,308.00	$91,202,794.00

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[1] National magazine figures are on the basis of 108 periodicals, the summaries being prepared by Publishers' Information Bureau, Inc., from which national network and farm paper summaries also are secured. The magazine figure represents August monthlies, due to the method used by the Bureau.

[2] Newspaper money expenditures are based upon estimates made by the service.

Evaluation of Trends

Trends in broadcast advertising must be interpreted carefully if the correct conclusions are to be drawn from them. It must be remembered, in comparing radio with other media, that broadcast advertising did not show marked decline in volume until the year of 1932, by which time the older advertising media has experienced a severe curtailment in advertising revenue. Thus, through national network advertising revenue is but 31% behind its peak year, newspaper advertising is slightly more than 50% less than in the peak year of 1929.

The trend in individual station revenue during the month of August is probably seasonal in nature. In previous years national network advertising has declined to about 20% below the monthly average for the entire year during the August low point. This year the anticipation of improved business and probably a desire to secure choice time, has led to an increase rather than a decrease in August network advertising. Since local broadcast advertising has always tended to follow the lead of network advertising, it is quite probable that the usual seasonal phenomena are behind the August declines in individual station revenue.

Declines in revenue have been more marked on the part of the larger stations than with regard to the hundred-watt transmitters. There has also been a tendency toward a greater decrease in revenue in the eastern portion of the country as compared with other sections. The southern area has experienced very little decline, the mid-western district 10%, the Pacific and Mountain district 14%, and the middle-Atlantic-New England district approximately 30%. Individual station revenues by classes of stations and various geographical districts are found in Tables III and IV:

TABLE III

NON-NETWORK BROADCAST ADVERTISING BY POWER OF STATION

	1933 Gross Receipts		
Power of Station	*July*	*August*	*Cumulative July-August*
Over 5,000 watts	$960,795.00	$772,736.00	$1,733,531.00
2,500-5,000 watts	288,980.00	224,241.00	513,221.00
250-1,000 watts	668,535.00	560,790.00	1,229,325.00
100 watts and under	174,589.00	195,737.00	370,326.00
Total	$2,092,899.00	$1,753,504.00	$3,846,403.00

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*1933 Gross Receipts* *July*	*August*	*Cumulative July-August*
New England Middle Atlantic Area	$589,655.00	$410,002.00	$999,657.00
South Atlantic South Central Area..	272,031.00	268,376.00	540,407.00
North Central Area..	712,529.00	640,115.00	1,352,644.00
Pacific and Mountain Area....	518,684.00	435,011.00	953,695.00
Total	$2,092,899.00	$1,753,504.00	$3,846,403.00

Interesting trends with regard to national spot and local broadcast advertising are found in Tables V and VI, dealing with that phase of broadcast advertising.

While local broadcast advertising volume declined approximately 11.2%, national spot broadcast advertising declined approximately 26.9%. Particularly heavy declines were to be noted in live talent spot and spot announcements. The decline with regard to electrical transcriptions, live talent, and other forms of broadcasts sponsored by local advertisers has been comparatively uniform. In both the case of national spot and local broadcast advertising it would seem that it has been the smaller advertisers who have tended to discontinue broadcasting in the summer.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

Type of Rendition	*1933 Gross Receipts* *July*	*August*	*Cumulative July-August*
Elec. transcriptions ..	$322,896.00	$262,601.00	$585,497.00
Live talent programs.	933,580.00	818,607.00	1,752,187.00
Records	81,323.00	50,258.00	131,581.00
Spot announcements.	755,100.00	622,038.00	1,377,138.00
Total	$2,092,899.00	$1,753,504.00	$3,846,403.00

TABLE VI

COMPARISON LOCAL AND NATIONAL SPOT ADVERTISING BY TYPE OF RENDITION

(August, 1933)

Type of Rendition	*Gross Receipts for Month* *National Spot*	*Local*	*Total*
Elec. transcriptions..	$200,154.00	$62,447.00	$262,601.00
Live talent programs.	167,799.00	650,808.00	818,607.00
Records	3,299.00	46,959.00	50,258.00
Spot announcements.	176,272.00	445,766.00	622,038.00
Total	$547,524.00	$1,205,980.00	$1,753,504.00

An increased volume of programs jointly sponsored by several companies is indicated in Table VII dealing with participations. It is particularly encouraging to note that the gain in this field has been principally with regard to live talent programs.

TABLE VII

PARTICIPATIONS OVER INDIVIDUAL STATIONS

	Gross Receipts *July*	*August*	*Cumulative July-August*
Elec. transcriptions ..	$110.00	$141.00	$251.00
Live talent..........	60,610.00	67,708.00	128,318.00
Records	20,220.00	16,284.00	36,504.00
Total	$80,940.00	$85,133.00	$166,073.00

The volume of broadcast advertising in August sponsored by various industrial groups is to be found in Table VIII, while a similar analysis of national spot and local broadcast advertising volume over individual stations is presented in Table IX.

TABLE VIII

RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(August, 1933)

Type of Sponsoring Business	*Gross receipts for Month* *National Network*	*Regional Network*	*Individual Stations*	*Total*
1a. Amusements	—	$150.00	$83,547.00	$83,697.00
1–2. Automobiles and accessories:				
(1) Automobiles	$199,098.00	—	91,581.00	290,679.00
(2) Accessories, gas and oils....................	272,977.00	13,102.00	129,770.00	415,849.00
3. Clothing and apparel............................	5,232.00	900.00	115,065.00	121,197.00
4–5. Drugs and toilet goods:				
(4) Drugs and pharmaceuticals.................	86,114.00	450.00	128,244.00	214,808.00
(5) Toilet goods	284,550.00	—	125,586.00	410,136.00
6–8. Food products:				
(6) Foodstuffs	364,254.00	7,693.00	271,000.00	642,947.00
(7) Beverages	220,101.00	—	69,200.00	289,301.00
(8) Confections	5,311.00	—	32,457.00	37,768.00
9–10. Household goods:				
(9) Household equipment and furniture.........	37,680.00	891.00	87,917.00	126,488.00
(10) Soap and kitchen supplies.................	75,291.00	3,890.00	65,799.00	144,980.00
11. Insurance and financial........................	88,713.00	808.00	46,723.00	136,244.00
12. Radios	45,601.00	—	5,783.00	51,384.00
13. Retail establishments..........................	—	3,003.00	113,815.00	116,818.00
14. Tobacco products	186,875.00	—	2,587.00	189,462.00
15. Miscellaneous	35,684.00	1,375.00	384,430.00	421,489.00
Total	$1,907,481.00	$32,262.00	$1,753,504.00	$3,693,247.00

TABLE IX

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

(August, 1933)

Type of Sponsoring Program	*Gross Receipts for Month* *National Spot*	*Local*	*Total*
1a. Amusements	$1,451.00	$82,096.00	$83,547.00
1–2. Automobiles and accessories:			
(1) Automobiles	44,726.00	46,855.00	91,581.00
(2) Accessories, gasoline and oil	67,158.00	62,612.00	129,770.00
3. Clothing and apparel	5,384.00	109,681.00	115,065.00
4–5. Drugs and toilet goods:			
(4) Drugs and pharmaceuticals	48,340.00	79,904.00	128,244.00
(5) Toilet goods	100,451.00	25,135.00	125,586.00
6–8. Food products:			
(6) Foodstuffs	95,440.00	175,560.00	271,000.00
(7) Beverages	25,609.00	43,591.00	69,200.00
(8) Confectionery	17,961.00	14,496.00	32,457.00
9–10. Household goods:			
(9) Household equipment and furniture	16,046.00	71,871.00	87,917.00
(10) Soap and kitchen supplies	41,170.00	24,629.00	65,799.00
11. Insurance and financial	4,846.00	41,877.00	46,723.00
12. Radios	3,375.00	2,408.00	5,783.00
13. Retail establishments	6,752.00	107,063.00	113,815.00
14. Tobacco products	1,295.00	1,292.00	2,587.00
15. Miscellaneous	67,520.00	316,910.00	384,430.00
Total	$547,524.00	$1,205,980.00	$1,753,504.00

In connection with the industrial tables, a new classification, that of amusements, is to be noted. This attains some prominence in the individual station field, though it is of little significance in network advertising.

Several important trends should be noted with regard to the sponsorship of radio broadcast advertising by various industrial groups. Automobile advertising over the radio has increased slightly more than one-third over the previous month. This has been due entirely to increased network advertising, with regard to which the automobile industry's expenditures more than doubled as compared to July. National spot automobile business declined slightly less than 10%, while local advertising remained practically the same as in the previous month. Total accessory and gasoline advertising declined approximately 9% as compared with July, while national network advertising in this field increased approximately 11%.

Clothing and apparel advertising declined uniformly, as would be expected at this time of the year. Drug and pharmaceutical advertising over national networks declined approximately 51%, national spot volume showing a similar drop. Local advertising in this field held its own as compared with July. Toilet goods and food advertising remained comparatively steady, with national network food advertising increasing 10% and slight declines occurring in the national spot and local fields. National spot beverage advertising increased considerably, as did local confectionery advertising, the former increasing approximately 39%.

National network advertising of household equipment showed marked increases over July, expenditures of this group increasing more than 60%. Some declines were experienced in individual station business in this field. Soaps and household supplies tended to hold their own, while financial advertising showed a slight decline. Radio advertising declined, while retail advertising dropped 37%, due undoubtedly to seasonal influences.

Of particular interest is a 13% increase in tobacco advertising over national networks. It would seem that after the ruinous price wars of last spring, cigarette manufacturers were coming to realize that radio is too potent a medium for mass sales to be dispensed with for any length of time.

Another new aspect of the monthly reports is to be found in Table X, which segregates for the first time retail broadcast advertising from other local advertising. It is interesting to note that during August retail advertising accounted for about 51% of the total locally sponsored broadcast advertising volume. Of the total retail advertising, department stores accounted for 18.7%, clothing and apparel shops for 16.8%, grocery and food establishments 15.3%, drug stores 11.6%, gasoline stations, garages and similar establishments 9.8%.

TABLE X

RETAIL ADVERTISING OVER INDIVIDUAL STATIONS

(August, 1933)

Type of Sponsoring Business	*Gross Receipts for Month*
Automobiles and accessories:	
Automobile agencies and used car dealers	$38,237.00
Gasoline stations, garages, etc.	60,393.00
Clothing and apparel shops	102,850.00
Drugs and toilet goods:	
Drug stores	71,016.00
Beauty parlors	913.00
Food products:	
Grocery stores, meat markets, etc.	93,664.00
Restaurants and eating places [1]	24,969.00
Beverage retailers	963.00
Confectionery stores, etc.	5,086.00
Household goods:	
General housefurnishing establishments	1,848.00
Household equipment retailers [2]	25,116.00
Furniture stores	38,148.00
Hardware stores	7,038.00
Radio retailers	2,249.00
Department and general stores	113,815.00
Tobacco shops	939.00
Miscellaneous	25,382.00
Total	$611,606.00

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[1] Exclusive of hotels.

[2] Such as electric refrigerators, oil burners, sweepers, furnaces and the like.

General Business Conditions

Business developments since the high peak of July have shown conflicting tendencies which make the determination of any clear-cut trend impossible. Business activity has declined to slightly less than 80% of the 1923-1925 level after having practically reached the 100% mark in July. Productive activity has shown an 8% decrease in August as compared with the previous month, while some slight further recessions have occurred since then. Freight car loadings also declined, contrary to the usual seasonal trend, being 6% below the previous month. Though public works enterprises have increased general building and construction, private construction still remains 21% less than in 1932.

Encouragement is to be found in the estimated reemployment of an additional 750,000 workers during the month of August, representing a 6.5% increase in factory employment and an 11.6% increase in total factory payrolls. It also is estimated by the Department of Agriculture that about $1,000,000,000 has been added to the purchasing power of the American farm market by the increased prices for agricultural products.

Department store sales increased 10% over July, reaching 77% of the 1923-1925 average, and attaining the greatest volume since April, 1932. Part of this increased business, however, is merely the result of higher prices, retail prices having increased approximately 8% in August. Dollar sales were 20% above August, 1932, but 13% below August, 1931. Mail order company sales advanced in August to a point 19% below those of last year and 6% below August, 1931.

Commodity prices have risen more slowly during recent weeks than during the first rapid upswing earlier in the summer. According to Fairchild's Index, retail prices increased 8.4% during August, and on September 1 stood at 19% above May and 12% above the same period of 1932. Retail food prices held even in August, but have gained in the neighborhood of 35% since January, 1933. The cost of living increased 2.3% in August, according to the National Industrial Conference Board, and now stands 7.6% above the low for the year. Open market operations of the Federal Reserve Banks have resulted in an unprecedented growth of bank reserves but these do not seem to be finding their way into the community in the way of actual increases in credit accommodations. New issues in the capital market remain insignificant.

While the cross currents found in business today are typical of the first stages of a recovery period, attention cannot help but be focused upon the basic problem of the immediate future—the further increase of mass purchasing power at a rate faster than advancing prices. This is of extreme interest to the broadcaster from two aspects; upon the success of this undertaking depends any resumption of business at all. Unless a resumption of mass purchasing power takes place sufficient to make possible the resumed consumption of the non-necessities which loom so large in American production today, there can be little hope for a permanently increased business tempo, or of a consequent protracted rise in advertising volume.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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COMMUNICATIONS COMMISSION STUDIED

Creation of a communications commission to have general jurisdiction over wire and radio communications is the subject of study by a special committee headed by Secretary of Commerce Roper, it was announced this week by the Secretary of Commerce at a press conference.

General Charles McK. Saltzman, former chairman of the Federal Radio Commission, is vice chairman of the committee and Herbert L. Petty, secretary of the Federal Radio Commission, is serving as secretary of the committee. Other members of the committee are Senator Dill, chairman of the Senate Committee on Interstate Commerce; Representative Rayburn of Texas, chairman of the House Committee on Interstate and Foreign Commerce; representatives of the army, navy, coast guard, State Department, and Bureau of Standards.

The committee has held several meetings.

Best information available is that the report and recommendations of this committee will not be made the basis of an executive order, as was at one time supposed, but will be sent to Congress to serve as a basis for federal legislation shortly after Congress convenes in January.

CODE CONFERENCES RESUMED

Following the annual membership meeting of the NAB at White Sulphur Springs, W. Va., conferences on the code of fair competition for the broadcasting industry were resumed. These conferences have dealt principally with the provisions in the code relating to licensed operators. Since the report at the convention there have been no new or important developments in the situation.

BOARD WILL PLAN 1934 PROGRAM

The meeting of the Board of Directors scheduled for Thursday, November 9, in Washington will be devoted to developing a program for the new year. A meeting of the executive committee consisting of the President, Treasurer and Managing Director, created under the new constitution and by-laws, will be held in advance of the Board meeting to work out an agenda for the Board meeting.

ROCKEFELLER LIQUOR AD SURVEY

Advertising of liquor, other than light beer, should be "rigidly restricted or forbidden" where possible, according to the Rockefeller liquor survey just made public.

Only the name, address, date of incorporation of a manufacturer or dealer, a coat of arms or trade-mark and a description in the simplest terms of the article or articles should be contained in newspaper and magazine advertising, the report stated.

Radio advertising should be subject to the same rules, it is reported.

All additional advertising matter, including slogans, to be prohibited, except on approval of the state licensing board.

KFAB CASE TO BE APPEALED

The Supreme Court of Nebraska has allowed an appeal to the Supreme Court of the United States in the KFAB libel case, it was learned this week. The case involves the utterance of an alleged defamatory statement in the course of a political campaign speech by radio. The Nebraska Supreme Court held the station liable in damages for the utterance. It is expected that the papers petitioning the Supreme Court of the United States for a review of the state supreme court decision will be filed shortly and that the case will come up in the higher court in March.

NRA CHIEF PRAISES RECORDINGS

The series of electrical transcriptions prepared for the NRA in connection with the "Buy Now" campaign, and available to all broadcasting stations, won a word of praise from Frank Wilson, chief of the NRA organization division.

"We have just come from an audition where several of the radio recordings made in behalf of the 'Now Is The Time To Buy Campaign' were heard," he stated in a bulletin to all NRA Committtes. "We have no hesitation in saying to all NRA Committees and to all retail merchants and groups interested in getting maximum results from this campaign, that this radio series is fully as outstanding as the series of newspaper advertisements prepared for us by the leading copywriters in America.

"These radio recordings follow the same idea as the 24 factual advertisements furnished the newspapers. Each one is devoted to a certain commodity. In the staging of these productions a cast of 12 competent people was taken to the Victor Recording Studio at Camden, N. J. Nothing was spared to make the programs outstanding. The manager of your local radio station has complete information about the series and he can arrange for the delivery of these records to his station at a cost made very reasonable by reason of the quantity being produced. We suggest that your committee meet with your station manager and try to make this series a part of your local campaigns in all cities where there is a radio station.

"These broadcastings may be sponsored by an individual advertiser or by a group of advertisers engaged in a similar line of business. If, for instance, the recording on shoes were sponsored by all shoe dealers in a given community, the cost to each would be very small indeed. The manager of your radio station has the test of each recording so the prospective user may know exactly the nature of the material."

As pointed out before, these recordings may be secured from G. T. Herzog, 704 National Press Building, Washington, D. C. The cost is $60.00, plus five per cent tax, for the entire series of 24 recordings. Stations may pay for half the series at the time of subscribing and the balance at a later date or have them sent C. O. D. It is not necessary to purchase the entire series but arrangements may be made to purchase any number less than 24 by getting in touch with Mr. Herzog.

EXAMINER REJECTS ERIE PROTEST

Leo J. Omelian was granted a construction permit for a new broadcasting station at Erie, Pa., by the Commission, but a protest was filed against this by the Broadcasters of Pennsylvania, Inc. In Report No. 515 this week it is recommended that the Commission affirm this grant (George H. Hill, e.).

The Examiner found that the city of Erie will support two radio stations and that there is sufficient local talent to serve the needs of an additional broadcasting station at Erie. He also found that the applicant is financially and otherwise qualified to operate the proposed new station.

WILL GETS POWER INCREASE

On Friday the Federal Radio Commission granted an increase in daytime power from 500 to 1,000 watts to station WILL, Urbana, Ill., on its present frequency of 890 kilocycles, reversing Examiner George H. Hill in his Report No. 496.

The Commission found that the applicant is rendering a meritorious service, that the service would be improved and enlarged by the use of the additional daytime power and that "such interference as may result from applicant's use of the additional power requested would be more than offset by the advantages to be gained."

NEWS BROADCAST BRINGS SUIT THREAT

A suit for damages under Section 51 of the Civil Rights Law of the State of New York has been threatened against Station WFBL for the use of names of citizens in a news broadcast sponsored by one of the station's clients.

The news item was correct in every detail, according to the station.

The section of the New York law under which suit is threatened is as follows:

"Sec. 51. Action for injunction and for damages. Any person whose name, portrait or picture is used within the state for advertising purposes or for the purposes of trade without the written consent first obtained as above provided may maintain an equitable action in the Supreme Court of this State against the person, firm or corporation so using his name, portrait or picture, to prevent and restrain the use thereof; and may also sue and recover damages for any injuries sustained by reason of such use and if the defendant shall have knowingly used such person's name, portrait or picture in such manner as is forbidden or declared to be unlawful by the last section, the jury, in its discretion, may award exemplary damages. But nothing contained in this act shall be so construed as to prevent any person, firm or corporation, practicing the profession of photography, from exhibiting in or about his or its establishment specimens of the work of such establishment, unless the same is continued by such person, firm or corporation after written notice objecting thereto has been given by the person portrayed."

THEY WON'T RESTRICT, IF—

A number of radio stations have sent in copies of letters that reveal a new style of "advertising chiseling" by ASCAP music publishers.

The letter from Louis Bernstein, president of Shapiro, Bernstein and Co., Inc., names two compositions whose copyright he claims to control and says:

"We are publishers of the above compositions, and we have entered into a contract with Paramount Pictures for the publication of the entire score of 'I'M NO ANGEL'. The terms of the contract prohibit us to authorize the public performance of these compositions by radio except and unless they be announced as *'from Mae West's new picture I'M NO ANGEL'*.

"We have no desire to place these songs upon the restricted list, yet must do so unless the Stations will cooperate in making the above announcement every time the compositions are played.

"Will you, therefore, please accept this as a friendly request to make the announcement or refrain from performing the compositions. If you will do this we will not be faced with the necessity of restricting the numbers, and they can be available for your use and the service of your station if presented in the above manner.

"In order that we may protect our obligations, under the contract with Paramount Pictures, will you please favor us with the assurance that if and when the compositions are performed from your Station they will be announced in accordance with the above form."

The letter from Robert Crawford, president of De Sylva, Brown and Henderson, Inc., claims the copyright to four compositions in "Broadway Thru A Keyhole" and says:

"Under the terms of our agreement with the producers of this picture we were required to place these numbers on the restricted list, to be done by special permission only. However, we have been able to prevail upon the producers to have them remove the restriction with the proviso that we would request the broadcasting stations to credit the numbers as being from the picture 'BROADWAY THRU A KEYHOLE' whenever they are played on the air.

"This looks like one of the smash hit pictures of the season, and I know the numbers are due to be extremely popular. I sincerely trust that you will see your way clear to conform with this request, and in accordance with the above I have this day authorized ASCAP to remove the numbers from the restricted list. You may therefore have same played over your stations *without requesting special permission.*"

To the stations asking for advice on this subject, Oswald F. Schuette, NAB director of copyright, has written:

Under the terms of the ASCAP contract, these music publishers have the right either to restrict compositions and thereby prevent their being played by broadcasting stations or not to restrict them and thereby leave them open to public performance on the air.

If the publishers place these numbers on the restricted list, stations are advised not to play them and not to ask special permission to play them. Stations are further advised that once a number is placed on the restricted list it should remain there.

If the publishers do not place these compositions on the restricted list, stations are free to use them without tying that use to an advertising blurb or to free publicity for a motion picture.

Stations receiving such requests from publishers or motion picture companies should send their rate cards to the companies asking for such free advertising.

Both Mr. Bernstein and Mr. Crawford are directors of the American Society of Composers, Authors and Publishers. It is, therefore, particularly interesting that they should participate in such an effort to obtain additional performances of their music despite the ASCAP plea that broadcasting is destroying ASCAP compositions.

The best answer to all such special efforts to "plug" ASCAP music is to keep it off the air.

A. F. OF L. OPPOSES INVESTIGATION

The Executive Council of the American Federation of Labor, at its 53d annual convention held in Washington last week, submitted a report in which the following on the subject of broadcasting was included:

"Resolution No. 53, providing for an investigation of radio advertising and if feasible to secure national legislation prohibiting the long advertising lectures and speeches over the radio of the country, was referred to the executive council.

"A thorough investigation of this subject has been made. In the first place, the most persistent advertisers over the radio are the largest advertisers in the newspapers and magazines. These include automobiles, cigars and cigarettes, toothpaste, ginger ale and many other articles.

"The advertising broadcasts are necessarily accompanied by music. Actors and actresses furnish a program. Should advertising be eliminated or restricted to an extent that it would not be practical, thousands of musicians, actors and other employes, would be thrown out of employment. If radio advertising was prohibited it would be necessary for the broadcasting stations to secure funds from some other source to carry on their broadcasts. In some countries where the broadcasting stations are controlled by the government a tax is placed upon receiving sets. Naturally, that would be the main source of revenue that would have to be raised in the United States if advertising was prohibited or restricted.

"There are 12,000 full-time employes of the broadcasting stations of the United States. This does not include the thousands of artists and musicians employed by program sponsors and the networks. The annual payroll is approximately $23,000,000.

"It is doubtful if radio advertisers have materially decreased newspaper or magazine advertising. It is true that many newspaper publishers in asking for reductions in wages use this as an argument.

"New inventions cause many changes in old established industries. This, of course, raises objections from those displaced. But were it not for the telephones, graphophones, electricity, automobiles and radios there would be many more idle in the United States.

"The executive council believes that progress cannot be stopped. Inventions will continue in greater number than before. Labor's solution of this problem is reducing the hours in the workday and workweek at adequate wages. There is no other remedy and labor uses every effort to organize the wage-earners in order that they can secure a comfortable living and more leisure. If the five-day week and six-hour day were in effect there would not be as many idle workers in the United States."

RADIO EMPLOYMENT AGAIN INCREASES

September employment index for September was 133.6 compared with 108.2 for August and 68.1 for September of last year taking 1926 at 100, according to the Bureau of Labor Statistics, Department of Labor. The payroll index number for September was 91.2 compared with 73.9 for August and 56.1 for September of last year.

INFORMATION REQUESTED

The NAB has been asked by members for information concerning the whereabouts of:

A. M. Parmenter, 36 to 40 years old, about 210 pounds, about 6 feet 1 inch in height, fair complexion.

Gayle Norman 2nd, 25 to 30 years old, about 5 feet, 10 inches, about 140 pounds, dark complexion.

J. J. Moore of the National Feature Service Company.

CHAIN STORE ADVERTISING

Newspaper advertising is the predominant type of advertising among chain stores, according to the Federal Trade Commission's latest report on chain stores entitled "Chain Store Advertising," which is made public today.

More than 86 per cent of the 1,030 chains reporting their detailed advertising expenditures for a recent year used newspaper advertising and these chains operated 96.3 per cent of the stores of this group, the Commission reports.

Only three kinds of chains, namely, tobacco, men's shoes, and dry goods, reported less than 50 per cent of their total advertising expenditures as being for newspaper advertising. All three showed higher than average proportions of their total advertising expenditures under other types of advertising.

Millinery, unlimited price variety, and furniture chains reported newspaper advertising expense as accounting for more than 90 per cent of their total expenditures for advertising. Grocery and meat chains reported 72.2 per cent of total advertising expenditures used for newspaper advertising; grocery chains, 72.8 per cent; drug chains, 76.2 per cent; and department store chains, 60.4 per cent.

The chain-store schedule specified ten different kinds of advertising including the miscellaneous category, "other" advertising. In tabulating the answers, however, the number of kinds of advertising was cut to eight because of the small number of chains reporting one cent sales as a form of advertising, and because, although a substantial number of chains reported "national magazine advertising" inspection of the replies showed that some of the chains so reporting had termed advertising in local school magazines and theatre programs "national magazine advertising."

Slightly over 86 per cent of the 1,030 chains reporting their detailed advertising expenditures for 1928 used newspaper advertising and these chains operated 96.3 per cent of the stores. Pamphlet and dodger advertising was reported by 24.9 per cent of these chains, operating 32.1 per cent of the stores, and window and counter display advertising by 23.8 per cent of the companies which operated 55.0 per cent of the stores. Billboard and outdoor advertising was used by 7.3 per cent of the chains operating only 2.6 per cent of the stores. Free goods as a form of advertising was used by 4.3 per cent of the reporting chains and these operated 4.0 per cent of the stores. Street car and bus advertising was reported by only 1.7 per cent of the companies, but these operated 13.4 of the reported stores.

Miscellaneous or *"other"* advertising includes a wide variety of kinds of advertising, and 21.7 per cent of the chains operating 56.0 per cent of the stores, used *"other"* advertising. Included in this category are national magazine, one-cent sales, direct mail, *radio*, premiums, contributions and numerous other expenditures reported as advertising.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, October 23, 1933

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Modification of license, **1300 kc.**, 1 Kw, share with WBBR, WFAB, and WHAZ. Present assignment, **1300 kc.**, 500 watts, shares with WBBR, WFAB, and WHAZ. (Others notified.)

Tuesday, October 24, 1933

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Modification of license, **1380 kc.**, 500 watts, unlimited time. Present assignment, **1410 kc.**, 500 watts, simultaneous daytime operation with WSFA, sharing at night.

Wednesday, October 25, 1933

Oral Argument Before Commission en banc

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license, **1440 kc.**, 500 watts, unlimited time (facilities of WTAD). Present assignment, **1440 kc.**, 500 watts 1 KW LS, shares with WTAD.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license, **1440 kc.**, 500 watts, shares with WMBD.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—CP to move station to E. St. Louis, Ill., **1440 kc.**, 500 watts, share with WMBD.

Hearing Before Examiner

NEW—Williard G. Demuth, Uhrichsville, Ohio—CP, **1370 kc.**, 100 watts, daytime.

Thursday, October 26, 1933

NEW—Jos. S. Crawford & L. E. Ore, Erie, Pa.—CP, **1420 kc.**, 100 watts, unlimited time.

NEW—Church of Christ (T. C. White, business manager and Operator), Stamford, Texas.—CP, **1200 kc.**, 100 watts, daytime.

Friday, October 27, 1933

KOIN—KOIN, Inc., Portland, Oregon—CP, **940 kc.**, 1 KW, 2½ KW LS, unlimited time. Present assignment, **940 kc.**, 1 KW, unlimited time.

APPLICATIONS GRANTED

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted special temporary authorization to operate from 8:15 to 9 p. m., EST, on October 20.

WSMB—WSMB, Inc., New Orleans, La.—Granted CP to move transmitter from New Orleans to U. S. Naval Station, Algiers, La.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Granted modification of license to reduce specified hours of operation to as follows: Monday to Friday, inclusive, 12:30 to 1 p. m.; Wednesday, 4:30 to 5 p. m., EST.

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted modification of license to increase specified hours to unlimited except from 12:30 to 1 p. m., Monday to Friday inclusive, and 4:30 to 5 p. m., Wednesday.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to midnight, EST, Nov. 3, 1933.

KGIW—Leonard E. Wilson, Almosa, Colo.—Granted license covering move of station, **1420 kc.**, 100 watts, shares with KIDW.

KGDY—The Voice of South Dakota, Inc., Huron, S. Dak.—Granted authority to continue operating for 30 days under program test without a frequency monitor, until monitor crystal for new frequency has been delivered.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted authority to use auxiliary transmitter while moving regular transmitter to new location and begin equipment tests Oct. 20. Also granted modification of CP extending completion date to Nov. 17, 1933.

WBBX—Samuel D. Reeks, New Orleans, La.—Granted authority to remain silent for two weeks.

SET FOR HEARING

NEW—Ark-La-Tex Radio Corp., Shreveport, La.—CP for new station, **1210 kc.**, 100 watts, unlimited time (facilities of KWEA).

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modification of license to increase power from 250 watts to 1 KW (facilities of WRUF).

APPLICATIONS DENIED

WBBX—Coliseum Place Baptist Church, New Orlean, La.—Denied authority to change licensee from Samuel D. Reeks to Coliseum Place Baptist Church temporarily pending action on involuntary assignment of license due to cancellation of lease formerly held by Reeks.

WBBX—Samuel D. Reeks, New Orleans, La.—Denied authority for Samuel D. Reeks, licensee of WBBX, to broadcast the programs of that station over the old transmitter of WJBO temporarily during nighttime.

WJBW—Charles C. Carlson, New Orleans, La.—Denied authority to operate unlimited time pending action on application for modification of license.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Ray M. Thompson, Youngstown, Ohio—CP, **1370 kc.**, 100 watts, unlimited time (facilities of WHBD).

WCAL—St. Olaf College, Northfield, Minn.—CP to increase power to 1 KW, 2½ KW, LS.

MISCELLANEOUS

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Denied authority to operate from 8 to 11 p. m. each Thursday evening pending disposition of unused 4/7 time on **1360 kc.**, formerly assigned WJKS. (Action taken Oct. 17.)

WPFB—Otis P. Eure, Hattiesburg, Miss.—Granted special temporary authority to operate station for period ending Nov. 1, 1933, due to foreclosure by 1st Natl. Bank. Said authority granted subject to the filing and approval of formal application and proper showing that Eure is possessor of equipment, etc.

KGIW—Leonard E. Wilson, Trinidad, Colo.—Program test period extended 30 days pending action on license appeal.

APPLICATIONS RECEIVED

First Zone

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Construction permit to increase power from 250 watts to 500 watts and to install new equiment. Amended to change transmitter location, exact location to be determined subject to approval of Commission, 1 to 2 miles south of Secaucus along Hackensack River and to request power be increased from 250 watts to 250 watts night, 500 watts to local sunset. (This amendment supersedes amendment on Report No. 643 10-16-33.)

WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit to install new equipment and increase power from 250 watts to 1 KW night, 2½ KW to local sunset. Previously amended as to equipment and to increase hours to 1/3 time. Amended again to omit request for change in hours.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit, exact transmitter location to be determined after survey, make changes in equipment, change frequency and increase power from **1210 kc.**, 100 watts, daytime, to **1330 kc.**, 1 KW, daytime.

Second Zone

None.

Third Zone

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Special experimental authorization to increase power from 250 watts night, 500 watts to local sunset to 500 watts night, 1 KW to local sunset—experimentally to 3-1-34.

WHET—Joe K. Jernigan, Cyril W. Reddoch, Julian C. Smith & John T. Hubbard, d/b as Troy Broadcasting Co., Troy, Ala.—Construction permit to move station from Troy, Ala., to Dothan, Ala., change frequency from **1210** to **1370 kc.** Amended to give proposed st. add. of transmitter Southwest Alabama Fair Grounds and studio Houston Hotel, Dothan, Ala.

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to move transmitter and studio from Russell Erskine Hotel to Twickenham Hotel, Huntsville, Ala., and changes in antenna.

Fourth Zone

KSOO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. D.—Construction permit to move transmitter from Lots 1 and 7, Carpenters Addition, Sioux Falls, S. D., to NE¼ of the NW¼ of section 24; township 101, Range 50 West, S. D., and make changes in equipment.

WTRC—Truth Publishing Co., Inc., Elkhart, Ind.—Modification of license to change hours of operation to include simultaneous nighttime operation with WLBC in addition to operating daytime simultaneously with WLBC, instead of share night with WLBC.

WISN—American Radio News Corp., Milwaukee, Wis.—Modification of license to increase power from 250 watts to 250 watts night, 500 watts to local sunset.

Fifth Zone

KPJM—M. B. Scott and Edward C. Sturm, d/b as Scott & Sturm, Prescott, Ariz.—Construction permit to move transmitter and studio locally to 119 E. Gurley St., and make changes in equipment.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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ROPER EXPLAINS COMMUNICATIONS STUDY

The Roper Committee on Communications, now studying wire, radio and cable regulations, is the outgrowth of the Transportation Committee appointed by the President shortly after March 4, the Secretary of Commerce said this week.

"In order to clarify some of the questions that have been raised within the last few days concerning our Committee on Communications," said Secretary Roper, "I want to state that this committee was formed to continue studies which were begun in connection with the departmental reorganization work launched immediately after March 4.

"The entire subject of transportation is divided into four divisions: land, water, air and communications. Studies relating to the first three divisions are being conducted by the Federal Coordinator of Transportation, Honorable Joseph B. Eastman, the authority for such being embodied in legislation enacted by the last session of Congress and approved by the President.

"Immediately after March 4, a Transportation Committee was formed to study and advise in relation to departmental reorganization plans. The Committee on Communications is an outgrowth of the Transportation Committee which is now simply coordinating in an advisory capacity with Mr. Eastman. This leaves, therefore, for the full launching of this study the communications unit, and for this particular study an interdepartmental committee has been appointed consisting of:

Hon. Daniel C. Roper, Secretary of Commerce; Dr. W. M. W. Splawn, Advisor, House Committee on Commerce; Dr. Irvin Stewart, Department of State; Lt. Com. E. M. Webster, Coast Guard, Retired, Treasury Department; Maj. Gen. Irving Carr, War Department; Capt. S. C. Hooper, Navy Department; Maj. Gen. C. McK. Saltzman, Commerce Department; Dr. J. H. Dellinger, Bureau of Standards; Herbert L. Pettey, Federal Radio Commission; Senator Dill of Washington; Representative Rayburn of Texas.

"This committee is making a study of the subject of communications with the primary view of working out a more definite interdepartmental arrangement in the interest of better service, more economically administered. In making this study it is conducting a survey of the field of communications, but no further directions regarding its work have been given. As this study has just been initiated, it is not possible to say when it will be completed, but it is hoped that it may be in its final stages by the end of this calendar year. As the committee is at present concerned with interdepartmental problems, it is not possible at this time to define the scope of its further studies in order to anticipate in any way what the committee may recommend in its report to the President, through the Secretary of Commerce."

NRA CODE CONFERENCES CONTINUED

There were no important developments during the week in connection with the code of fair competition for the broadcasting industry although conferences which have been in progress for the past several weeks were continued.

The principal point of difference now existing still revolves around the hours of work provisions as applied to technicians. Changes of a minor nature have been agreed upon and the general form has been altered somewhat to conform with the style approved by the NRA.

It has been agreed that the administration of the code shall be vested in a Code Authority to be appointed by the President of the United States during a temporary period of 90 days during which time this code authority shall recommend a permanent form of administration.

CANADIAN RADIO OFFICIALS VISIT U. S.

A delegation of Radio Officials of Canada visited Washington last week and conferred with officials of the Federal Radio Commission concerning an allocation plan for frequencies in the band 1500-6000 kc.

COMMISSION DECIDES KYW CASE

The Commission (Commissioner Hanley not participating), handed down its decision today in the so-called "1020 and 1160 kc. cases," in which Kunsky-Trendle Broadcasting Corp., of Detroit, and 15 other applicants were involved. These cases came on for hearing July 18, 1932, and on succeeding days much testimony on the entire group was taken before Examiner Elmer W. Pratt. The Examiner submitted his report on October 28, 1932, after which many of the parties involved filed exceptions and requested oral arguments, and on March 15, 1933, oral argument was heard before the Commission en banc.

The decisions follow:

KYW—Westinghouse Electric & Manufacturing Co., Chicago, Ill.—Granted CP for new 10-KW transmitter at a proposed location near Philadelphia, to be operated in accordance with the proposals contained in said application and the testimony produced at hearing in support thereof. Granted renewal of present license on a temporary basis authorizing the continued operation of KYW at Chicago, pending the construction of the new transmitter at Philadelphia.

WXYZ—Kunsky-Trendle Broadcasting Corp., Detroit, Mich.—Denied application for new 10-KW station at Detroit, to operate on **1020 kc.** Applicant proposed to abandon WXYZ if application for new station were granted.

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Denied CP for increase in power from 1 KW to 5 KW, and a change in frequency from the regional channel, **1290 kc.**, to **820 kc.**, a clear channel assigned to WHAS at Louisville, proposing that **1020 kc.** be assigned to WHAS.

WHAS—The Courier-Journal and the Louisville Times Co., Louisville, Ky.—Granted renewal of license to continue operation on **820 kc.**

WFAN—Keystone Broadcasting Co., Philadelphia, Pa.—Denied CP for change in frequency from **610 kc.** to **1020 kc.**, sharing with WIP, and increase in power from 500 watts to 5 KW.

WIP—Gimbel Bros., Inc., Philadelphia, Pa.—Denied application for CP to change frequency from **610 kc.** to **1020 kc.**, and increase in power from 500 watts to 5 KW.

WCAU—Universal Broadcasting Co., Philadelphia, Pa.—Denied CP to change frequency from **1170 kc.** to **1020 kc.**

WRAX—WRAX Broadcasting Co., Inc., Philadelphia, Pa.—Granted CP for modification of license to change frequency from **1020 kc.** to **920 kc.**, a change in power assignment from 250 watts day and night to 250 watts night and 500 watts day, and change in operating time from daytime to sharing time with Station WPEN, Philadelphia. This change will result in improved service in the Philadelphia area.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted CP for modification of license to change frequency from **1500 kc.** to **920 kc.**, to change power assignment from 100 watts night and 250 watts day to 250 watts night and 500 watts day, and to change hours of operation from unlimited time to part time, sharing with WRAX. This change will result in improved service in the Philadelphia area.

WIBG—WIBG, Inc., Elkins Park, Pa.—Granted renewal of license and modification of license changing frequency from **930 kc.** to **970 kc.**, and increasing power from 25 watts to 100 watts.

This grant will result in an improvement in service from that station, and there will be no objectionable interference to any existing station.

WORK—York Broadcasting Co., York, Pa.—Granted renewal of license on present frequency—**1000 kc.**, with 1 KW power, as licensed at present.

WHN—Marcus Loew Booking Agency, New York—Granted renewal of license to operate on **1010 kc.**, with 250 watts, sharing with WRNY and WQAO-WPAP as at present.

WRNY—Aviation Radio Station, Inc., New York—Granted renewal of license to operate on **1010 kc.**, with 250 watts, sharing with WHN and WQAO-WPAP as at present.

WQAO-WPAP—Calvary Baptist Church, New York—Granted renewal of license to operate on **1010 kc.**, with 250 watts, sharing with WHN and WRNY as at present.

WOWO—Main Auto Supply Co., Fort Wayne, Ind.—Denied modification of license to permit full-time operation on **1160 kc.**, a clear channel now shared with WWVA at Wheeling, W. Va. and denied CP to increase power from 10 KW to 25 KW. It was proposed that WWVA be assigned to **1290 kc.**, now used by WJAS.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Denied modification of license so as to operate full time on **1160 kc.**; granted renewal of license on present basis, *i. e.*, sharing time on **1160 kc.** with WOWO.

In explaining how it reached its decision, the Commission declared:

"Consideration of the relative merits of the different applications for 1020 kc. is aided by a comparative study, first, of the population, quota status, present service, service needs and requirements, interference problems of the cities and communities involved: and second, of the relative merits of each of the applications with reference to financial responsibility, technical equipment, past, present and proposed programs, service, etc."

All of these questions are discussed fully in the decision.

In its statement of Facts and Grounds for Decision the Commission took up first the proposal to use 1020 kc. at Detroit, then the proposal that 1020 kc. be used at Louisville, Ky., and 820 kc. at Pittsburgh; next the several proposals to use 1020 kc. at Philadelphia, then KYW's application for renewal of license at Chicago, and lastly applications relating to 1160 kc.

Referring to the application of Westinghouse Electric & Mfg. Co. to move its station from Chicago to Pennsylvania, the Commission sets forth, among other things:

"This applicant proposes to construct a transmitter in the vicinity of Whitemarsh, Pa., 10 or 12 miles northwest of Philadelphia City Hall. This location was chosen with a view to rendering as effective service to the Philadelphia metropolitan area as possible and by means of suitable antennae array, with a minimum of interference with stations on adjoining channels.

"The studios will be located in the Westinghouse Building, 13th and Walnut Streets, and the programs and service will be similar to those now rendered in Chicago."

Discussing the qualifications of applicants, the Commission says:

"While each of the applicants for 1020 kilocycles is financially responsible and otherwise qualified to carry out his proposal, the Westinghouse Electric and Manufacturing Company, licensee of KYW, has a superior financial standing, greater technical resources, more extensive broadcasting experience, etc., than any of the other applicants. Although there exists in a licensee no property or priority rights in a frequency, it has been held that a licensee with a good past record and substantial investment in his station should not be deprived of his license except for compelling reasons. In Chicago Federation of Labor v. Federal Radio Commission (41 F. (2d) 422) the Court of Appeals of the District of Columbia said: 'It is not consistent with true public convenience, interest, or necessity, that meritorious stations . . . should be deprived of broadcasting privileges when once granted to them, which they have at great cost prepared themselves to exercise, unless clear and sound reasons of public policy demand such action. The cause of independent broadcasting in general would be seriously endangered and public interest correspondingly prejudiced, if the licenses of established stations should arbitrarily be withdrawn from them, and appropriated to the use of other stations . . .' "

With reference to the various proposals to use the frequency 1020 kilocycles in Philadelphia, Pa., the Commission declares:

"One of the proposals to use the frequency 1020 kilocycles at Philadelphia, is that of the Westinghouse Electric and Manufacturing Company, licensee of KYW.

"The Westinghouse Electric and Manufacturing Company is a Pennsylvania corporation with extensive manufacturing interests in Philadelphia and other cities. On December 31, 1931, it had total assets of $222,819,777.74; liabilities other than capital stocks of $10,461,793.38, a surplus of $79,050,324.06, and a net worth of $212,358,074.06.

"The Westinghouse Electric and Manufacturing Company first entered the radio broadcasting field in 1920, when the election returns of that year were broadcast through a station in Pittsburgh which later became known as KDKA. Through its research and experimental activities this company has contributed largely to the development of the radio arts and industries with particular reference to the practice of maintaining frequency by crystal control, the synchronization of broadcasting stations, the development and perfection of transmitters suitable for high power, as well as for the use of shortwave long distance communications; the development and use of remote control apparatus and studios, and the employment of directional antenna in connection with short-wave operations.

"KYW was the first radio broadcasting station in Chicago, construction having been completed and operation commenced in November, 1921. The station has since been operated continuously by the present licensee and has been maintained in keeping with the progress of the radio art, many of the new developments having been installed in this station earlier than in any other. Since about the first of August, 1925, the station has been operated with a power of 10 kilowatts. Operas were broadcast direct from the stage during the first month after completion of the station; and later, musical programs, market reports of the Department of Agriculture, news bulletins from the Associated Press in connection with the *Chicago Tribune*, and market quotations direct from the grain pit of the Chicago Board of Trade were broadcast. The year following, additional studios were opened in the Hearst Building, and later, studios were added in the Congress Hotel."

The Commission further states:

"The Fourth Zone being greatly over-quota and the Second Zone considerably under-quota, the withdrawal of 1020 kc. from the Fourth Zone and its assignment for use in the Second Zone would tend toward the equal distribution of broadcasting facilities among zones required by Section 9 of the Radio Act of 1927, as amended, and Paragraph 111 of the Commission's Rules and Regulations.

"As between Michigan and Pennsylvania, the two states in the Second Zone from which applications for 1020 kc. were filed, Pennsylvania being more under-quota than Michigan, the allocation of this facility to Pennsylvania would be more consistent with the requirements of Section 9 of the Radio Act of 1927 as amended, and Paragraph 111 of the Commission's Rules and Regulations providing for a fair and equitable distribution of facilities among states, according to population, than would its allocation to Michigan.

"Of the metropolitan areas of the four cities from which come the applications for 1020 kc., viz Detroit, Pittsburgh, Philadelphia and Chicago, the Philadelphia area has fewer transmission facilities in proportion to population and the number of receiving sets than any of the others.

"While reception is had in Detroit, Philadelphia and Chicago from stations located outside their metropolitan areas, and while the Pittsburgh area depends almost entirely for reception upon stations located therein, there are more transmission facilities in Pittsburgh area than in either the Detroit or Philadelphia areas."

Concerning its decision in the "1160 case", the Commission says:

"The granting of WOWO's application for full time on this channel would reduce the facilities of a state and zone already under-quota and would thus be inconsistent with Section 9 of the Radio Act of 1927."

In its opinion the Commission sustained the recommendations of former Examiner Elmer W. Pratt.

WHAS APPEAL DISMISSED

The appeal of Station WHAS against a decision of the Radio Commission in which it granted WFIW permission to move from Hopkinsville to Louisville, Ky., was dismissed this week by the Court of Appeals of the District of Columbia. The appeal was dismissed at the request of the applicant station.

SUPREME COURT DENIES WLOE APPEALS

Writ of certiorari was denied by the United States Supreme Court this week in case No. 446 of the Boston Broadcasting Company, Station WLOE against the Radio Commission and case No. 447 of William S. Pote, also against the Radio Commission.

In the case of Station WLOE the Radio Commission refused to grant a license renewal and a temporary license which it had was terminated. The station appealed to the Court of Appeals of the District of Columbia which upheld the Commission and then appeal was filed in the United States Supreme Court which has now denied further appeal.

In the case of William S. Pote, the latter filed an application with the Commission for involuntary assignment of the license of WLOE. The Commission refused this and Mr. Pote followed the same procedure as that followed by the station in its appeals. The Supreme Court has now also refused him further appeal.

RECOMMENDS AGAINST UNLIMITED TIME

Station WJBK, Detroit, Mich., and WIBM, Jackson, Mich., both operating on a frequency of 1370 kilocycles, applied for unlimited time. Denial of these applications is recommended in Report No. 516 (Ralph L. Walker, e.) this week. The Examiner recommended that the application of Station WIBM be denied as in cases of default because it failed to make any appearance when the hearing was called. In connection with the application of WJBK the Examiner found that "while such operation (full time) would undoubtedly benefit the applicant from a financial viewpoint, it does not appear that additional program service is needed in the Detroit area." In connection with WJBK the Examiner found that "unlimited time, will add to the interference condition now existing on the frequency in question and thereby make more difficult the problem of correcting that condition at some future date."

DEMURRER IN WMAL CASE

The Radio Commission this week filed a demurrer in the Supreme Court of the District of Columbia in the case of Gerald V. Moore against the Commission. In this case Moore filed a suit in the Court calling upon the Court to have the Commission refuse to renew the license of WMAL, Washington, D. C., leased by the National Broadcasting Company, subsidiary of the Radio Corporation of America on the basis that this company had been adjudged as violating the anti-trust laws. A similar case was denied by the same Court a few months ago.

WLAP APPEAL IS DISMISSED

The Court of Appeals of the District of Columbia has dismissed the appeal of Station WLAP, Hopkinsville, Ky. It was dismissed at the request of the station itself. On June 16 the Radio Commission refused to change the frequency of the station from 1200 to 940 kilocycles and to increase its power from 100 to 1,000 watts. Appeal was taken from this decision of the Commission which has now been dismissed.

RETAIL CODE GOVERNS ADVERTISING

The Retail Trade Code, which was approved on October 23 and becomes effective on October 30, contains a provision governing the advertising and sale of goods by retail merchants.

The retail code does not affect the retailing of milk and its products, tobacco and its products, food and food-stuffs or other branches of retail selling already under separate codes, General Johnson pointed out this week. Neither does it become binding upon retailers in towns of 2,500 or less population.

Article IX, Section 1 of the Retail Code provides:

"(a) No retailer shall use advertising, whether printed, radio or display or of any other nature, which is inaccurate in any material particular or misrepresents merchandise (including its use, trade-mark, grade, quality, quantity, size, origin, material, content, preparation or curative or therapeutic effect) or credit terms, values, policies or services; and no retailer shall use advertising and/or selling methods which tend to deceive or mislead the customer.

"(b) No retailer shall use advertising which refers inaccurately in any material particular to any competitor or his merchandise, prices, values, credit terms, policies or services.

"(c) No retailer shall use advertising which inaccurately lays claim to a policy or continuing practice of generally under-selling competitors.

"(d) No retailer shall secretely give anything of value to the employee or agent of a customer for the purpose of influencing a sale, or in furtherance of a sale render a bill or statement of account to the employee, agent or customer which is inaccurate in any material particular.

"(e) No retailer shall place obstacles in the way of the purchase of a product which a consumer orders by brand name by urging upon the consumer a substitute product in a manner which disparages the product ordered."

QUOTA REVISION UNDER DISCUSSION

Revision of the quota system adopted by the Federal Radio Commission several years ago has been the subject of discussion at Commission headquarters.

Although the courts have sustained the present system, it is felt in some quarters that revision is necessary to provide for greater equality in reception. Since the system is of the Commission's own creation, it could be changed without Congressional action.

Whether or not official action will be taken on the subject is conjectural. The question has been discussed and undoubtedly will receive further study.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Bell Rose Industries, Inc., Dover, Del. (2-295).
Blumer Brewing Corporation, Monroe, Wis. (2-297).
Gillet Realty Corporation, Baltimore, Md. (2-291).
Old Jordan-Old '76 Distillery Company, Covington, Ky. (2-294).
Old Monroe Brewing Association, St. Louis, Mo. (2-293).
Republic Mortgage Company, Albuquerque, N. M. (2-299).
Suburban Electric Utilities Company, Dunlap, Ill. (2-296).
Warrington Apartments Company, Baltimore, Md. (2-290).
Williams & Company, Inc., New York City (2-292).
Wright and Taylor Distilling Corporation, Baltimore, Md. (2-298).
Chopaka Mining Corporation, Seattle, Wash. (2-301).
Double Eagle Mining Company, Baldy, N. M. (2-308).
East Contra Costa Irrigation Bondholders Protective Committee, San Francisco, Cal. (2-305).
Edward M. Fitch, Jr. and Others, Philadelphia, Pa. (2-306).
Goldfield Operators, Ltd. Los Angeles, Cal. (2-302).
Halifax Power and Pulp Company, Sheet Harbour, Nova Scotia, (2-304).
Maynard & Child, Inc., New York City (2-300).
Oakman Brewing Company, Detroit, Mich. (2-309).
Scottish Type Investors, Inc., Jersey City, N. J. (2-303).
Southwestern Trading Company, Denver, Colo. (2-307).

SECURITIES ACT STOP ORDERS

The Federal Trade Commission this week issued stop orders suspending the effectiveness under the Securities Act of registration statements filed by Southern Trading Company, Denver, Colo.; Liberty Brewing Company, Baltimore, Md.; and Byron Gold Mining Company, Omaha, Nebr.

RADIO CONTROL DEBATE NOVEMBER 1

Many high schools throughout the country have adopted as the official debate question for the coming winter the subject: "Resolved, That the United States Should Adopt the Essential Features of the British System of Radio Control and Operation." This question was suggested by the Committee on Debate Materials of the National University Extension Association, of which Mr. T. M. Beaird of the University of Oklahoma is Chairman. For the purpose of giving information to the high school pupils who will engage in platform debate on this subject a radio program has been arranged for November 1, 3:00 to 4:00 Eastern Standard Time, on the coast to coast networks of both the Columbia Broadcasting System and the National Broadcasting Company. Management of this broadcast was entrusted to the National Advisory Council on Radio in Education, of which Dr. Levering Tyson is Director. Time for the program on both national networks was secured through the cooperation of the National Association of Broadcasters.

The affirmative side of the question will be presented by Professor E. C. Buehler, Director of Forensics, University of Kansas, Lawrence, Kansas; Dr. H. L. Ewbank of the Department of Speech, University of Wisconsin, Madison, Wisconsin; and Professor C. C. Cunningham, Director of University Debate and Professor of Public Speech, Northwestern University, Evanston, Illinois.

The negative side of the question will be presented by Dr. Harry W. Chase, Chancellor of New York University; Professor C. H. Judd, Dr. Louis Brownlow and Professor T. V. Smith, all of the University of Chicago.

Dr. Levering Tyson will act as Chairman.

The Debate will be held from broadcasting studios in Chicago and New York. Thousands of high school debating clubs and leagues throughout the country will listen in.

EDUCATORS CAMPAIGN WITH CARDS

Post cards are the newest weapons being utilized by the educators in their campaign to destroy the American radio system. The cards seek to enlist the help of the general public in the effort of a certain group of educators to force a Congressional investigation of radio after January 1.

The card carries the return address of Dr. Tracy F. Tyler, 1201 Sixteenth Street, N. W., Washington, D. C., the address being the same as that of the National Education Association which has generously supported the activities of the National Committee on Education by Radio which was set up during the Hoover administration and made a vigorous fight for adoption of the Fess 15-per cent bill.

The post card condemns the present system of radio and praises the Canadian system of government ownership. Following is the text matter appearing on the cards:

"Radio is one of the most frequently discussed questions before the American people today. There is a tremendous amount of dissatisfaction with radio broadcasting. It is doing something to American life. Mr. Average Citizen, altho he knows there is something fundamentally wrong with the American radio practise, has been led to believe that he is fortunate to get free radio programs and therefore should praise rather than condemn. He does not realize that the listener's investment is fifty times that of the broadcaster's and hence should receive first consideration; that the United States is the only country in the world that supports its radio entirely from the sale of advertising; that after a thorogoing, impartial study the Canadian Parliament decided unanimously against the haphazard, advertising-controlled radio as practised in the United States; that in spite of all that might be gained from it, the United States has never made a thorogoing, impartial Congressional study of radio. If he knew these things and many others, which have been carefully concealed from him by the selfish interests who profit from a continuance of the present broadcasting practise, he would rise up and use his influence upon the Congress to secure a Congressional study of radio.

"May we count on your assistance when Congress convenes in securing the passage of a measure or measures to provide for a thorogoing and impartial Congressional study of radio broadcasting to serve as a basis for future legislation? . . ."

NAB PREPARING DEBATE MATERIAL

"Broadcasting in the United States," a 176-page volume containing articles supporting the American system of radio control is being prepared by the National Association of Broadcasters in order to meet the demand of high school and college students for material for use in connection with the radio control debate proposed by the National University Extension Association. Hundreds of requests have been received by the NAB and it has become necessary to print the material that has been collected. The material is now in the hands of the printer. NAB members are urged to forward all requests for debate material to NAB Headquarters.

The NAB publication is included in a list of debate references compiled by Dr. Cline M. Koon, senior specialist in Education by Radio, and sent out by the Office of Education, Department of Interior. The list of references follows:

1. Advisory Committee on Education by Radio, REPORT. Columbus, Ohio., F. J. Heer Printing Co., 1930. 246 p. **Out of print.**
2. ***Aly, Bower, and Shively, Gerald D. DEBATE HANDBOOK. Columbia, Mo., Staples Publishing Co., 1933. 224 p. **75 cents.**
3. ***Aly, Bower, and Shively, Gerald D. SUPPLEMENT TO THE DEBATE HANDBOOK. Columbia, Mo., Staples Publishing Co., 1933. 224 p. **75 cents.**
4. **Baden, A. L. SELECT LIST OF REFERENCES ON THE REGULATION AND CONTROL OF RADIO BROADCASTING IN THE UNITED STATES AND FOREIGN COUNTRIES. Washington, D. C., Division of Bibliography, U. S. Library of Congress. **Free.**
5. *British Broadcasting Corporation. BRITISH BROADCASTING CORPORATION PUBLICATIONS, Summer, 1933. New York, N. Y., British Library of Information, 270 Madison Ave., 1933. 15 p. **Free.**
6. *British Broadcasting Corporation. B. B. C. YEAR-BOOKS. New York, N. Y., British Library of Information, 270 Madison Ave., 1930-1934. 5 vols. **85 cents each.**
7. **Broadcasting*, Fortnightly, Broadcasting Publishing Co., National Press, Building, Washington, D. C. **15 cents a copy, $3.00 a year.** Will carry special articles on the debate during the present school year.
8. **Buehler, E. C. AMERICAN VS. BRITISH SYSTEM OF RADIO CONTROL. New York, N. Y., The H. W. Wilson Co., 1933. 361 p. **90 cents.**
9. Burrows, A. R. BROADCASTING ABROAD. New York, N. Y., National Advisory Council on Radio in Education, 60 East 42d St., 1932. 84 p. **Free.**
10. **Education by Radio*, Periodical. Washington, D. C., National Committee on Education by Radio, 1201 16th St., N. W. **Free to schools.** Will carry special articles on the debate during the present school year.
11. *Federal Radio Commission. COMMERCIAL RADIO ADVERTISING. Senate Document No. 137. Seventy-second Congress, 1st Session. Washington, D. C., Government Printing Office, 1932. 201 p. **15 cents.**
12. **Hall, T. H. CURRENT CONFLICTING VIEWS ON AMERICAN VS. BRITISH BROADCASTING. Chicago, Ill., National Research Bureau, 210 East Erie Street, 1933. 277 p. **$2.25.**
13. *Hettinger, Herman S. A DECADE OF RADIO ADVERTISING. Chicago, Ill. The University of Chicago Press, 1933. 354 p. **$3.00.**
14. International Institute of Intellectual Cooperation. SCHOOL BROADCASTING. Boston, Mass., World Peace Foundation, 40 Mount Vernon St., 1933. 210 p. **$2.00.**
15. Lingel, Robert. EDUCATIONAL BROADCASTING: A BIBLIOGRAPHY. Chicago, Ill., The University of Chicago Press, 1932. 162 p. **$1.50.**
16. *MacLatchy, Josephine H., Editor. EDUCATION ON THE AIR. Columbus, Ohio, Bureau of Educational Research, Ohio State University, 1930-1933. 300-400 p. 4 vols. **$3.00 each.**
17. **National Association of Broadcasters. BROADCASTING IN THE UNITED STATES. Washington, D. C., National Association of Broadcasters, National Press Building, 1933. 175 p. **Free.**
18. *Perry, Armstrong. RADIO AND EDUCATION. Office of Education Bulletin, 1931, No. 20. Washington, D. C., Government Printing Office, 1932. 23 p. **5 cents.**
19. **Phelps, Edith M. British System of Radio Control. In UNIVERSITY DEBATERS' ANNUAL. New York, N. Y., The H. W. Wilson Co., 1933. pp. 97-133. **$2.25.**
20. **Rankin, E. R., Editor. RADIO CONTROL AND OPERATION. Chapel Hill, N. C., University Extension Division, University of North Carolina, 1933. 90 p. **50 cents.**
21. *Reports, ADVISORY COUNCIL OF THE NATIONAL BROADCASTING COMPANY. New York, N. Y., National Broadcasting Co., Radio City, 1928-1933. 50-75 p. each. 6 vols. **Free.**
22. *Schmeckebier, Laurence F. THE FEDERAL RADIO COMMISSION: ITS HISTORY, ACTIVITIES AND ORGANIZATION. Washington, D. C., The Brookings Institution, 1932. 162 p. **$1.50.**
23. ***The Congressional Digest.* Debate Number. THE AMERICAN VS. THE BRITISH SYSTEM OF RADIO CONTROL. Washington, D. C., Congressional Digest, Munsey Building. August-September, 1933. 33 p. **50 cents.**
24. Tyler, Tracy F., Director. AN APPRAISAL OF RADIO BROADCASTING IN THE LAND-GRANT COLLEGES AND SEPARATE STATE UNIVERSITIES. Washington, D. C., National Committee on Education by Radio, 1201 16th Street, N. W., 1933. 224 p. **Free to State, city and university libraries.**
25. *Tyson, Levering, Editor. RADIO AND EDUCATION. Chicago, Ill., The University of Chicago Press, 1931-1933. 275-300 p., 3 vols. **$3.00 each.**
26. *Tyson, Levering. WHAT TO READ ABOUT RADIO. New York, N. Y., The National Advisory Council on Radio in Education, 60 East 42d Street, 1933. 30 p. **25 cents.**
27. *Whitney, Edward S. EDUCATIONAL BROADCASTING IN THE UNITED KINGDOM. Madison, Wis., The Department of Debating and Public Discussion, The University of Wisconsin, 1931. 15 p. (Mimeographed). **10 cents.**

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* Good source material. Parts bear directly on the debate.
** Prepared especially for the debate.
*** The official debate handbook.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Wednesday, November 1, 1933

Oral Argument Before Commission en banc

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license, **830 kc.**, 1 KW, unlimited time. Present assignment, **830 kc.**, 1 KW, limited time.

WNBW—WNBW, Inc., Carbondale, Pa.—Renewal of license, **1200 kc.**, 10 watts, unlimited time.

WNBW—G. F. Schiessler and M. E. Stephens, d/b as Home Cut Glass and China Co., Carbondale, Pa.—Involuntary assignment of license, **1200 kc.**, 10 watts, unlimited time.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Special authority, **630 kc.**, 250 watts, unlimited time. Present assignment, **1210 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

First Zone

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authorization to operate from 9 to 10 p. m., EST, on Oct. 25.

WHN—Marcus Loew Booking Agency, New York—Granted modification of CP extending completion date to Dec. 1, 1933.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted temporary extension of special experimental authorization to operate unlimited time and simultaneous operation with stations WHP, WHEC, WOKO, and WCAH, pending decision and hearing on pending application.

WGNY—Peter Goelet, Chester Township, N. Y.—Granted authority to operate from 7 to 9 p. m., EST, simultaneously with WGBB, in order to broadcast local election returns on Nov. 7.

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Granted authority to operate from 8 to 10 p. m., EST, Oct. 30, in order to broadcast political rally; also same for Nov. 2.

Second Zone

WDBJ—Times-World Corp., Roanoke, Va.—Granted modification of license to increase night power from 250 to 500 watts.

WHBC—Edw. P. Graham, Canton, Ohio—Granted authority to operate simultaneously with WNBO on Nov. 6 from 9 to 11 p. m., and Nov. 7 from 9 p. m. to midnight, in order to permit use of station by political candidates and to broadcast election returns.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted CP to move auxiliary transmitter to same location as main transmitter, northwest of Wheeling, at West Liberty.

WFIW—WFIW, Inc., Hopkinsville, Ky.—Granted authority to discontinue operation to January, 1934, pending removal of station to Louisville.

Third Zone

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted special temporary authorization to use an auxiliary tube in last radio stage in conjunction with interlocking switch for period Nov. 1, 1933, to May 1, 1934, said auxiliary tube and licensed output tube not to be used at same time.

KOCW—J. T. Griffin, Tulsa, Okla.—Granted modification of CP approving exact transmitter location—3¼ miles south of center of Tulsa.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted license covering local move of transmitter and studio, and changing equipment; **1210 kc.**, 100 watts, unlimited time.

Fourth Zone

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted temporary renewal of license and designated application for hearing, subject to such action as the Commission may take on their pending application. Also granted special temporary authorization to operate the following specified hours instead of sharing with WJKS: Monday, Tuesday, Wednesday, Thursday, and Friday, 6 to 11 a. m. and 5 to 8 p. m.; Saturday, 6 to 11 a. m., 6 to 7 p. m., 11 p. m. to 2 a. m.; Sunday, 7:30 a. m. to 1 p. m., 3:30 to 7 p. m., 11 p. m. to 2 a. m., CST.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted CP to make changes in equipment, installing switching arrangement of last radio stage in order to reduce power from 25 to 10 KW; also granted extension of special experimental authorization to operate with 25 KW until local sunset, and granted renewal of license, **1460 kc.**, 10 KW, unlimited time.

Fifth Zone

KOCW—J. T. Griffin, Chickasha, Calif.—Granted renewal of license on a temporary basis pending installation of new equipment and approved frequency monitor, and on condition that station remain silent until installation of said equipment and approved frequency monitor.

KGIX—J. M. Heaton, Las Vegas, Nev.—Granted modification of CP to make changes in equipment and extend commencement date to this date and completion date to Jan. 1, 1934.

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Granted authority to operate from local sunset to 5:45 p. m., PST. with Station WOR on the following dates: Oct. 14, 21, and 28; Nov. 4, 11, 18, 25, and 30; Dec. 2, 9, 16, 23, and 30; Jan. 1, 1934, in order to broadcast football games.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted CP to install new equipment and move station from Richmond to Oakland, Calif.

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Granted license covering erection of new station, **1200 kc.**, 100 watts, daytime operation.

SET FOR HEARING

NEW—Northern Broadcasting Co., Inc., Laconia, N. H.—CP, **1310 kc.**, 100 watts, unlimited time; facilities of WKAV.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—CP to install new equipment, move transmitter, and increase daytime power from 250 to 500 watts.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Modification of license to increase power from 500 watts to 1 KW.

WBT—Station WBT, Inc., Charlotte, N. C.—Modification of license to increase power from 25 KW to 50 KW.

MISCELLANEOUS

KFNF—Henry Field Co., Shenandoah, Iowa—Denied authority to use the time assigned to but not used by stations WILL and KUSD, during month of November.

NEW—Church of Christ, Stamford, Tex.—Denied CP for new station to operate on **1200 kc.**, 100 watts, daytime hours; application heretofore set for hearing but applicant failed to enter appearance within time allowed.

NEW—R. D. DuBois and T. R. Putnam, The Pima Broadcasting Co., Tucson, Ariz.—Dismissed at request of applicant, CP for facilities of KVOA, **1260 kc.**, 500 watts, which was designated for hearing.

WLB—University of Minnesota, Minneapolis, Minn.—Application for modification of license removed from hearing docket.

WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn; WCAL—St. Olaf's College, Northfield, Minn.—WCAL has withdrawn application for increased power. The three stations have entered into a time-sharing agreement, using all the facilities of **1250 kc.**, including the 5 hours formerly assigned to KFMX, now deleted. The Commission approved the time-sharing agreements and new licenses will be issued to the respective stations upon a specified hour basis in conformity with the time-sharing agreement.

APPLICATIONS RECEIVED

First Zone

WMCA—Knickerbocker Broadcasting Co., Inc., New York, N. Y.—Modification of license for authority to use transmitter formerly licensed to WPCH as auxiliary at WMCA's main transmitter location. (This application supersedes 1-L-B-1000 reported 10-16-33, Report No. 643.)

Second Zone

None.

Third Zone

NEW—Ark-La-Tex Radio Corp., Shreveport, La.—Construction permit for new station, transmitter to be located at Keithville. La., to use **850 kc.**, 10 KW, unlimited hours, facilities KWKH, Shreveport, La., and WWL, New Orleans, La. Amended as to equipment and additional information given on transmitter location.

WBT—Station WBT, Inc., Charlotte, N. C.—Modification of license to increase power from 25 KW to 50 KW (supersedes 3-SA-B-60).

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Extension of special experimental authorization to operate with 500 watts, unlimited time, to 5-1-34.

WGCM—Grace Jones Stewart, under trade name of the Great Southern Land Co. (not inc.), Mississippi City, Miss.—License to cover construction permit granted 8-22-33 for increase in power from 100 watts to 100 watts night and 250 watts to local sunset, new equipment, and change in specified hours.

KOCW—J. T. Griffin, Tulsa, Okla.—Modification of construction permit as modified 5-26-33, granted 9-13-33, to move station from Chickasha to Tulsa, Okla., for approval of exact transmitter location near Tulsa, Okla.

WSOC—WSOC, Inc., Charlotte, N. C.—License to cover construction permit granted 6-23-33, as modified 9-1-33, move transmitter and studio from Gastonia to Charlotte, N. C., and make changes in equipment.

WSB—The Atlanta Journal Co., Atlanta, Ga.—License to use 5 KW old transmitter as auxiliary.

Fourth Zone

WHAD—Marquette University, Milwaukee, Wis.—Consent to voluntary assignment of license to *WHAD, Inc.*

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Construction permit to move auxiliary transmitter to new location of main transmitter granted in construction permit 9-27-32, 50th and Belinder Road, outside city limits, Kansas City, Kans.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—License to cover construction permit granted 8-16-33 to move transmitter 2 miles from Gary.

Fifth Zone

KOA—National Broadcasting Co., Inc., Denver, Colo.—Modification of construction permit for 50 KW transmitter to extend completion date to 5-17-34.

NEW—Fred W. Christian, Jr., and Raleigh W. Whiston, "Christian and Whiston," Norco, Calif.—Construction permit for new station to use **1280 kc.**, 500 watts, unlimited time. Requests be considered under 6 (g). Resubmitted with corrections re equipment.

KRE—First Congregational Church of Berkeley, Berkeley, Calif.—Modification of license for change in specified hours of operation, amended for further change in hours: 7 a. m. to 1 p. m. and 6:30 p. m. to 9:30 p. m. daily, except Sunday; Sunday hours same as at present.

APPLICATIONS RETURNED

NEW—J. W. Woodruff and David Parmer, Anniston, Ala.—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited hours, facilities WAMC, Anniston, Ala. (Request of applicant.)

NEW—J. W. Woodruff and David Parmer, Tuscaloosa, Ala.—Construction permit for new station to use **1200 kc.**, 100 watts, daytime, facilities WBHS, Huntsville, Ala. (Request of applicant.)

NEW—Joseph G. Mayer and Clarence R. Cummins, Erie, Pa.—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time. (Equipment, geographical location, and jurat not completed.)

NEW—J. W. Woodruff and David Parmer, Selma, Ala.—Construction permit for new station to use **1500 kc.**, 100 watts, daytime, facilities WBHS, Huntsville, Ala. (Request of applicant.)

NEW—Henry Clay Allison, Fort Worth, Tex.—Construction permit for new station to use **1370 kc.**, 100 watts night, 250 watts to local sunset, share KFJZ half time, facilities KFJZ, Fort Worth, Tex. (Oath, equipment, Rule 140; Rule 6a, c and d—insufficient facilities requested.)

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to move transmitter and studio locally. (Request of applicant.)

KGU—Marion A. Mulrony and Advertiser Publishing Co., Ltd., Honolulu, T. H.—Consent to voluntary assignment of license to Advertiser Publishing Co., Ltd. (Insufficient information furnished and no reply to letters.)

KGA—Louis Wasmer, Spokane, Wash.—Construction permit to make minor changes in equipment. (Not necessary.)

NEW—H. E. Studebaker, Lewiston, Idaho—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited hours. (Rule 6, equipment, and insufficient information on proposed transmitter location.)

CALL BOOK SUPPLEMENT—OCT. 1, 1933

Freq.	*Call Letters*	*Studio Location*	*Alterations and Corrections*
550 kc.	KFUO	Clayton, Mo.	Quota units, 0.14.
550 kc.	KSD	St. Louis, Mo.	Quota units, 0.5.
570 kc.	WNAX	Yankton, S. Dak.	Power, 2½ KW—LS.
570 kc.	WEAO	Columbus, Ohio	Call letters changed to WOSU.
580 kc.	WSAZ	Huntington, W. Va.	Correct to read as follows: S.A. exp. 500 w. additional. Strike out 1 KW experimental.
630 kc.	WOS	Jefferson City, Mo.	Licensee, State of Missouri, Missouri State Highway Patrol.
740 kc.	WSB	Atlanta, Ga.	Power, 50 KW.
780 kc.	WEAN	Providence, R. I.	S.A. exp. 250 w. additional night. Strike out 250 w. additional night experimental.
850 kc.	KWKH	Shreveport, La.	Licensee, International Broadcasting Corp.
890 kc.	WJAR	Providence, R. I.	S.A. exp. 250 w. additional night. Strike out 250 w. additional night experimental.
1060 kc.	WBAL	Baltimore, Md.	T-Pikesville.
1190 kc.	WOAI	San Antonio, Tex.	Licensee, Southern Industries, Inc.
1200 kc.	WJBL	Decatur, Ill.	Quota units, 0.12.
1200 kc.	WJBC	La Salle, Ill.	Quota units, 0.08.
1200 kc.	WHBC	Canton, Ohio	Power, 100 w.
1210 kc.	WKOK	Lewisburg, Pa.	T and studio Sunbury, Pa.
1210 kc.	WGNY	Chester Twp., N. Y.	Power, 100 w.
1250 kc.	WODA	Paterson, N. J.	C.P. consolidate WODA and WAAM, T-near Carlstadt, N. J., studio Newark, power 2½ KW-LS, call letters WODA-WAAM, quota units 1.07.
1330 kc.	WDRC	Hartford, Conn.	Power 1 KW, quota units 1.0.
1350 kc.	WEHC	Emory, Va.	Licensee, Community Broadcasting Corp., T and studio Charlottesville.
1350 kc.	WCDA	New York, N. Y.	Strike out all particulars.
1350 kc.	WMSG	New York. N. Y.	Strike out all particulars.
1350 kc.	WAWZ	Zarepath, N. J.	Strike out S-WCDA and WMSG.
1350 kc.	WBNX	New York, N. Y.	T-Cliffside, N. J., strike out S-WMSG and WCDA, quota units 0.3.
1400 kc.	KOCW	Chickasha, Okla.	C.P., T and studio Tulsa.
1420 kc.	WEED	Greenville, N. C.	C.P. covered by license.
1420 kc.	WMED	Florence, Ala.	Call letters changed to WNRA.
1500 kc.	WMIL	Brooklyn, N. Y.	Call letters changed to WCNW.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
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BROADCASTERS CODE IN FINAL STAGES

The Code of Fair Competition for the Broadcasting Industry, submitted by the NAB on August 31, and on which public hearings were held on September 27, is now receiving final consideration by the National Recovery Administration. It is understood that the Industrial, Labor and Consumer Advisory Boards and the Legal Division of the NRA are now prepared to make reports to General Johnson and that there is a possibility that the code may be approved by President Roosevelt within the next ten days. Differences which arose over the hours of work and wages for operators and control men have been virtually settled during the past week. Under the code, as now drafted, President Roosevelt would be empowered to name a code authority consisting of nine broadcasters and three government representatives, the latter without vote, who would administer the code until such time as this temporary authority makes recommendations for a permanent set-up.

NAB BOARD MEETING THURSDAY

The new Board of Directors of the NAB will hold its reorganization meeting in Washington, D. C., November 9, for the purpose of outlining a program for the next year. It is expected that President McCosker will announce committee assignments at the time of the meeting.

McCOSKER NAMED WOR PRESIDENT

Alfred J. McCosker, President of the NAB, last week was promoted from general manager to President of the Bamberger Broadcasting Service, Inc., which owns and operates WOR, Newark, N. J. President McCosker recently completed his tenth year of service with the eastern station.

F. R. C. MAY MOVE TO P. O. BUILDING

The government has condemned the building in which the Federal Radio Commission is now housed. Therefore, it will soon be necessary for it to move again.

Having this in mind the Radio Commission has asked for space in the new Post Office Department Building, which is nearing completion at Pennsylvania Avenue and 12th Street, N. W.

Should the Commission be assigned space in this new building and move, it will be about the fifth time that the Commission has moved since its organization in 1927. It was first housed in one part of the old Department of Commerce building, then in another part of the same building. It then was moved to the Interior Department building, then to the National Press Building, back to the Interior Building, and then to its present location. In other words, it has been forced to move about every year of its existence.

COPYRIGHT CONTRACTS ATTACHED

The National Recovery Administration has been asked to brand as unfair competition the provision of the ASCAP broadcast copyright license contract which exacts a fixed percentage on the revenue from all programs regardless of whether they contain ASCAP music or not. This provision discriminates against independent composers and publishers by depriving them of an equal opportunity to have their works performed on the air.

For the National Association of Broadcasters, Oswald F. Schuette, copyright director, asked the insertion of a clause in the Music Publishers' Code that would stop this discrimination. The Code presented by the Music Publishers condemned the following as "unfair competition":

"The paying, presenting or otherwise giving to any owner, lessee, manager, or other person in control of or interested in any talking machine company, radio broadcasting or television station, electrical transcription company, motion picture company, or any place of public entertainment, of any money, service, favor or thing or act of value for the privilege of performing or having works performed in such place."

To this section, the NAB proposal would add the following language:

"Or the granting of a license, directly or indirectly, or authorizing the granting of a license, for the public performance of copyrighted works, under terms, conditions, or agreements, the effect of which is to deny to other copyright owners the equal opportunity to obtain the public performance of their works through the facilities of such talking machine company, radio broadcasting or television station, electrical transcription company, motion picture company or any place of public entertainment."

Inasmuch as the practice that would so be condemned is being carried on by a contract of a separate corporate organization—ASCAP—it was further proposed to bar from the "Code Authority" of the Music Publishers any publisher who participated in an organization that carried on such unfair competition. To do this, the NRA was asked to insert in the paragraph of the Music Publishers' Code which set up the code committee, the following language:

"No publisher shall be eligible for election as a member of the foregoing committee, or to participate in the election of such representative so long as he shall be a member, stockholder, associate, or participant, either directly or indirectly, or in any capacity, in any corporation, club, partnership or association composed of copyright owners and/or composers and/or publishers of music, the purpose, effect, or result of which is to engage in any of the practices condemned in Section 6 as constituting unfair competition in the production, manufacture, exploitation and/or sale of music."

In presenting the code for the Music Publishers, John G. Payne, president of the Music Publishers' Protective Association, said: "The publishers do not regard themselves as in competition in the sale of their compositions. They are only in competition with each other in so far as getting their numbers exploited is concerned."

This seemed to pave the way for a discussion of the unfair competition practiced in the copyright license of ASCAP. Before this point in the hearing was reached, however, Deputy Administrator Sol A. Rosenblatt announced that the code would have to be completely rewritten because it included sections concerning practices in the wholesale and retail field that should be turned over to other divisions of the NRA. No announcement was made concerning a date when the Publishers Code would again be considered. Because the copyright situation was to be discussed, a representative of the Department of Justice attended the hearing.

LAFOUNT RESOLUTION WITHDRAWN

Commissioner LaFount this week withdrew a resolution seeking to bring about amendment of the Commission's Rules and Regulations so as to require licensee corporations to report to the Commission the transfer of 10 per cent or more of its stock to any purchaser during any license period, together with the name of each such stockholder and the citizenship and residence of each said purchaser. The proposed resolution also sought to require a list of officers and stockholders holding 10 per cent or more of stock in licensee corporations to be a part of each license renewal application.

COMMISSION TO STUDY QUOTA SYSTEM

The Federal Radio Commission this week rejected, by a vote of 4 to 1, the proposal made by Commissioner LaFount that certain low-power stations be removed from the list of quota charges. The resolution sought to provide that low-power stations might be licensed, under certain restrictions in areas not now receiving good broadcast service, without addition to the existing quota charges of the various states.

The Commission, however, adopted a resolution introduced by Commissioner Brown, providing for a study of the entire quota system under which broadcasting facilities have been apportioned to the various states and zones. The resolution follows:

"WHEREAS, Section 9 of the Radio Act of 1927 as amended by Section 5 of the Act of March 28, 1928, has been construed by the Supreme Court of the United States as dealing primarily with the 'interests of the people—that they might have a reasonable equality of opportunity in radio transmission and reception,' and that this involves 'an equitable distribution not only as between zones, but as between states as well,' and

"WHEREAS, for the purpose of effecting such equality, both the Commission and the Courts have construed said law as authorizing and permitting the Commission in the exercise of its 'administrative judgment' to adopt some unit of measurement of the service value of stations of various types and classes, and

"WHEREAS, the 'quota units' now in effect have been employed by the Commission as such unit of measurement since their promulgation, June 17, 1930, and

"WHEREAS, there have been certain economic, scientific and legal developments since that data which may, after due investigation, be found to have affected said quota system as a valid measure of service,

"NOW, THEREFORE, BE IT RESOLVED, that the Commission proceed at once to a study of its Rules 6, 109 to 111, inclusive, and 116 to 124, inclusive, with a view to an early determination of what, if any, changes should be made in said regulations and the system of quota units established thereby."

WILL MAKE HUM MEASUREMENTS

Mr. Murray Clay, of the RCA License Laboratory, New York, has made a number of measurements of hum modulation of broadcasting station carriers, and contemplates additional measurements in the eastern and middle western sections of the country in the near future. This work is conducted as a fact-finding mission, and as a contribution to the art inasmuch as these and other similar measurements may later be used as a basis for standards of tolerable hum modulation.

The determination of tolerable limits of hum modulation of broadcasting station carriers has been discussed at some length by the NAB Engineering Committee as well as the IRE Broadcast Committee and the RMA Engineering Committee. As adequate factual information has been lacking, the results of Mr. Clay's survey will be especially useful. Such information is of considerable importance to the NAB committee, and its compilation may be fostered by cooperation of NAB member stations. Measurements at individual stations should be of considerable interest to such stations.

Mr. Clay has been furnished with a letter of introduction from NAB headquarters to NAB member stations, in which reasonable cooperation is suggested.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Berghoff Brothers Brewery, Inc., Fort Wayne, Ind. (2-321).
Bondholders' Protective Committee, Hotel Strand Bond Issue, Los Angeles, Calif. (2-317).
Bondholders' Protective Committee, Kaufman County, Texas, Levee Improvement District No. 1, Serial Six Per Cent Bonds, Kansas City, Mo. (2-311).
Carbon Dioxide & Chemical Company, Seattle, Wash. (2-325).
Commonwealth Bond Corporate Committee, New York City (2-313).
Consolidated Chollar Gould Savage Mining Company, San Francisco, Calif. (2-310).
Deadwood Mining & Milling Company, Oklahoma City, Okla. (2-324).
Fawn Mining Company, Ltd., Vancouver, B. C., Canada (2-328).
Golden Center Mines, Inc., New York City (2-323).
Hygienic Products Corporation, Albany, N. Y. (2-320).
Monex Corporation, New York City (2-312).
Nob-Lok Cabinet Company, New York City (2-322).
Old Joe Distilling Company, Lawrenceburg, Ky. (2-318).
Old Jordan-Old '76 Distilling Company, Covington, Ky. (2-315).
Protective Committee For Stanley Theatre, Bridgeton, N. J.; Philadelphia, Pa. (2-329).
Quaker City Brewing Corporation, Philadelphia (2-314).
Reed Company, Inc., New York City (2-326).
Seneca Plumas Gold Mining Company, Reno, Nev. (2-319).
Wazona Mines, Inc., Seattle, Wash. (2-327).
Western Gold Exploration Company, Dallas, Texas (2-316).
American Plan Credit System, Inc., New York City (2-335).
Commonwealth Bond Corporation Committee, New York City (2-331).
Foreign Bond Associates, Inc., Jersey City, N. J. (2-377).
Gold Operators, Inc., New York City (2-339).
Montgomery Building, Inc., Spartanburg, S. C. (2-336).
National Beer & Wine Importers, Inc., New York City (2-330).
Ocean Park Pier Amusement Corporation, Santa Monica, Calif. (2-338).
Pacific Seaboard Foundation, Inc., San Diego, Calif. (2-333).
Protective Committee for Brewster-Deal Chocolate Company, Philadelphia, Pa. (2-332).
Sterling Motor Truck Company, Inc., West Allis, Wis. (2-334).
Baranof Chichagof Gold Mines Company, Ogden, Utah (2-344).
Beaver-Bethnal Gold Mines, Ltd., Wilmington, Del. (2-340).
Como Mines Company, Layton, Nev. (2-342).
Gerben-Hecht Rin Wheel Corporation, New York City (2-343).
Interstate Surety Company, Newark, N. J. (2-347) .
Lackner Safety Research Corporation, Brooklyn, N. Y. (2-349).
Little Pepper Distillery, Inc., Lexington, Ky. (2-345).
National Unit Corporation, Pittsburgh, Pa. (2-341).
Pierce Metals Development Company, Lewiston, Ida. (2-348).
Public Finance Service, Inc., Philadelphia, Pa. (2-346).
Bailor Manufacturing Company, Atchison, Kans. (2-355).
Carl H. Berets and Fred H. Mason, Agents, New York City (2-352).
Carstairs Rye Distilleries, Ltd., Baltimore, Md. (2-359).
Consolidated Natural Gold Mines, Inc., Denver, Colo. (2-351).
Charles A. Criqui, Buffalo, N. Y. (2-354).
Distillers & Brewers Corporation of America, New York City (2-358).
Gold Standard, Inc., Reno, Nev. (2-353).
Lambda Chemical Products Company, Seattle, Wash. (2-350).
Red Arrow Mines, Inc., Idaho Springs, Colo. (2-356).
Truscon Steel Company, Youngstown, Ohio (2-357).
The Arizona Power Company Adjustment Committee, Philadelphia, Pa. (2-362).
Fradel Car Door Corporation, Buffalo, N. Y. (2-361).
Gulf States Development Company, Inc., New Orleans, La. (2-367).
Industrial Exchange Building Company, Bondholders Protective Committee, Los Angeles, Calif. (2-364).
Maison Pichel, Inc., New York City (2-363).
Protective Committee Trinity Court Building Burda Holding Corporation, New York City (2-368).
Rainbow Mining & Milling Company, Medimont, Idaho (2-369).
Schonbrunn Brewing Company, Inc., Sturgeon Bay, Wis. (2-360).
Standard Collateral Shares Corporation, Washington, D. C. (2-366).
Treasure Mountain Gold Mining Company, New York City (2-365).

FEDERAL RADIO COMMISSION ACTION
HEARING CALENDAR

Monday, November 6, 1933

WOKO—WOKO, Inc., Albany, N. Y.—Modification of license, **1430 kc.**, 500 watts, unlimited time. Present assignment, **1440 kc.**, 500 watts, simultaneous day, sharing night with WHEC.

WHEC—WHEC, Inc., Rochester, N. Y.—Modification of license, **1430 kc.**, 500 watts, unlimited time. Present assignment, **1440 kc.**, 500 watts, simultaneous day, sharing night with WOKO.

WCAH—Commercial Radio Service Co., Columbus, Ohio—Modification of license, **1430 kc.**, 500 watts, unlimited time. Present assignment, **1430 kc.**, 500 watts, simultaneous day with WHP and WBAK, sharing night with WHP.

WCAH—Commercial Radio Service Co., Columbus, Ohio—Modification of license, **1430 kc.**, 500 watts, 1 KW LS, unlimited daytime, sharing night with WHP.

WHP—WHP, Inc., Harrisburg, Pa.—Modification of license, **1430 kc.**, 500 watts, 1 KW LS, unlimited time. Present assignment, **1430 kc.**, 500 watts, 1 KW LS, specified hours day, sharing night with WCAH.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—License, **1430 kc.**, 500 watts, unlimited time. Present assignment, **1430 kc.**, 500 watts, unlimited time (exp.—C. P. only).

Wednesday, November 8, 1933

NEW—Chas. W. Phelan, tr. as Caseo Bay Broadcasting Co., Portland, Me.—C. P., **1340 kc.**, 500 watts, unlimited time.

NEW—Portland Maine Publishing Co., Portland, Me.—C. P., **1340 kc.**, 500 watts, unlimited time.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—C. P., **1340 kc.**, 1 KW, specified hours. Present assignment, **1370 kc.**, 100 watts, specified hours.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Mod. C. P., **1340 kc.**, 500 watts, unlimited time. Present assignment, **1430 kc.**, 500 watts, unlimited time.

WRDO—WRDO, Inc., Augusta, Me.—C. P. to move station to Portland, Me.; **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

First Zone

WINS—American Radio News Corp., New York—Granted authority to operate from 7 to 10 p. m. November 7, simultaneously with KOB, in order to broadcast election returns.

WMCA—Knickerbocker Broadcasting Co., Inc., New York—Granted modification of license to use former main transmitter of station WPCH as auxiliary, at same location as main transmitter, *i. e.*, College Point Causeway, Flushing, N. Y.

WGNY—Peter Goelet, Chester Township, N. Y.—Granted authority to operate simultaneously with WFAS from 9 to 11 p. m., November 7.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted authority to operate simultaneously with WJBI from 8:30 to 10 p. m., November 3, in order to broadcast political rally.

WORC—Alfred F. Kleindienst, Worcester, Mass.—Granted modification of specific experimental authorization to change type of equipment.

WMAS—WMAS, Inc., Springfield, Mass.—Granted modification of C. P. to change type of equipment, extend commencement date to within 30 days from this date and completion date to March 1, 1934.

WCNW—Arthur Faske, Brooklyn, N. Y.—Granted modification of C. P. to extend completion date to December 1, 1933.

Second Zone

WJBK—Jas. F. Hopkins, Inc., Detroit, Mich.—Granted special temporary authorization to operate from 8 to 9 p. m., EST, November 1, provided WIBM remains silent.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to operate from 1:30 to 2:30 p. m., CST, November 11, 1933.

WORK—York Broadcasting Co., York, Pa.—Granted authority to operate from 5:30 p. m., November 7, to 2 a. m., November 8, for purpose of broadcasting municipal and other election returns.

WKRC—WKRC, Inc., Cincinnati, Ohio—Granted 60-day extension within which to complete construction and submit field intensity measurements and data.

Third Zone

WBRC—Frank M. King, as Receiver of The Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Granted consent to involuntary assignment of license from Birmingham Broadcasting Co., Inc., to Frank M. King, as Receiver.

WPFB—Otis Perry Eure, Hattiesburg, Miss.—Granted consent to involuntary assignment of license from W. E., F. E., and P. L. Barclift, d/b as Hattiesburg Broadcasting Co., to Otis Perry Eure.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authorization to operate from 3:30 to 5 p. m., CST, November 6, 8, 13, 15, 20, and 22; December 4, 6, 11, 13, and 18, 1933; January 8, 10, 29, and 31; February 5, 7, 12, 14, 19, 21, 26, and 28; March 5, 7, 12, and 14, 1934, provided KGGF remains silent.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted authority to operate simultaneously with KPO Wednesday, November 8, from 8 to 12 p. m., EST, and from 7:45 to 8 p. m., during month of December.

KGKB—East Texas Broadcasting Co., Tyler, Tex.—Granted special temporary authorization to operate from 3 to 5 p. m., CST, November 3, 11, 17, 24, and 30, 1933.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authorization to operate from 9:45 to 11:45 a. m., and from 7:30 to 9:45 p. m., November 11, CST.

WBBX—Samuel D. Reeks, New Orleans, La.—Granted extension of special authorization to remain silent from November 4 to November 15.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted authority to reduce unlimited hours of operation to specified as follows: From November 1 to December 1, 1933, in order to repair antenna system, remodel studio equipment, and overhaul transmitter, 7:30 to 9:30 a. m., 11 a. m. to 2 p. m., 6 to 9 p. m.

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Granted license covering installation of new equipment; **1210 kc.**, 100 watts, unlimited time. Also granted consent to voluntary assignment of license to International Broadcasting Corp.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted extension of special authorization to operate 500 watts, unlimited time, to May 1, 1934.

Fourth Zone

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authorization to operate from 11 a. m. to 12:30 p. m., CST, November 11, provided KFYR remains silent.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authorization to operate from 12:30 to 2 p. m., CST, November 11, provided KFDY remains silent.

KGGF—Hugh J. Powell and Stanley Platz, d/b as Powell & Platz, Coffeyville, Kans.—Granted special temporary authorization to operate from 7:15 to 9:15 p. m., CST, November 28 and 30; December 21, 26, and 28, 1933; January 2, 18, 23, and 25; and March 29, 1934; and from 8:15 to 9:15 p. m., CST, November 29, December 20 and 27, 1933; January 24 and March 23, 1934, provided WNAD remains silent.

WBAA—Purdue University, W. Lafayette, Ind.—Granted authority to operate with 1 KW from 1:45 to 4:30 p. m., and 500 watts from 4:30 to 5 p. m., CST, November 4 and 18.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted permission to carry on synchronization experiments with Station WJSV, Alexandria, Va.

Fifth Zone

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Granted extension of special experimental authorization to operate unlimited time, pending decision on application for unlimited time.

KOA—National Broadcasting Co., Inc., Denver, Colo.—Granted modification of C. P. extending completion date to May 17, 1934.

SET FOR HEARING

NEW—M. L. Myers, d/b as Richland Sound Systems, Mansfield, Ohio—C. P. for new station, **1310 kc.**, 50 watts day, specified hours, facilities of WHBD.

NEW—J. H. Squires, A. E. Cullum, Jr., Dallas, Tex.—C. P. for new station, **1200 kc.**, 100 watts daytime, facilities of KFYO. (Application for facilities of KGKL was returned to applicants without action.)

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license to change hours of operation from daytime only to specified, as follows: 10:30 a. m. to 2:30 p. m. and 6 to 9 p. m., CST, daily.

WJJD—WJJD, Inc., Mooseheart, Ill.—Authority to operate until 8:30 p. m. (Chicago time, which is CST during winter months and Central Daylight Saving Time during summer months) with 5 KW power after sunset at Denver.

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license to change hours of operation from specified to unlimited (one-half of facilities of KWEA).

ORAL ARGUMENT GRANTED

Oral arguments will be heard by the Commission en banc on December 6, 1933, in re Examiner's Report No. 507, in which KSEI, at Pocatello, Idaho, asks for modification of C. P. and modification of license, and KFPY, Spokane, Wash., asks for modification of license.

MISCELLANEOUS

The following cases, heretofore set for hearing, were dismissed at request of applicants:

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—C. P., **1310 kc.**, 100 watts, unlimited time.

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Modification of license, **680 kc.**, 2½ KW, 6 a. m. to 7 p. m.

Herbert H. Fette, Meriden, Minn.—Granted permission to take depositions of certain witnesses on November 10, 1933, in re application for C. P. for new broadcasting station to operate on **1310 kc.,** 100 watts, daytime.

WBBX—Samuel D. Reeks, New Orlenas, La.—Denied request for reconsideration of Commission's action of October 20, which denied authority to use temporarily the transmitter of station WJBO.

WBBX—Coliseum Place Baptist Church, New Orleans, La.—Denied authority to change licensee from Samuel D. Reeks to Coliseum Place Baptist Church temporarily, pending action on involuntary assignment of license due to cancellation of lease formerly held by Reeks. (This is reconsideration of Commission's action of October 20.)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—C. P. to make changes in equipment heretofore granted, was cancelled and retired to closed files at request of applicant.

APPLICATIONS RECEIVED

First Zone

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—License to cover construction permit granted 9-1-33 make changes in equipment.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Extension of special experimental authorization to 3-1-34 to operate on **1280 kc.,** 500 watts power, using directional antenna.

Second Zone

NEW—Mason Dixon Radio Group, Inc., York, Pa.—Construction permit for new station to use **1310 kc.,** 100 watts, share with WRAW, Reading, Pa. Requests facilities WGAL, Lancaster, Pa.

WGAL—WGAL, Inc., Lancaster, Pa.—Modification of license to change frequency and hours of operation from **1310 kc.,** share with WRAW, to **1500 kc.,** unlimited time. Requests frequency to be vacated by WPEN, Philadelphia, Pa.

WSAI—Crosley Radio Corp., Cincinnati, Ohio—Extension for 90 days of special authorization to use 1 KW night, 2½ KW to local sunset using directional antenna, experimentally.

WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—Construction permit to move transmitter from Pontiac, Sylvan Lake Village, Mich., 31 miles south.

Third Zone

WPFB—Otis Perry Eure, Hattiesburg, Miss.—Consent to involuntary assignment of license from W. E., F. E. and P. L. Barclift d/b as Hattiesburg Broadcasting Co.

NEW—Henry Clay Allison, Fort Worth, Tex.—Construction permit for new station to use **1370 kc.,** 100 watts night, 250 watts to local sunset, share KFJZ equally, facilities KFJZ, Fort Worth, Tex. Resubmitted and amended to request 100 watts day and night, oath corrected.

WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit to make changes in equipment and increase daytime power from 500 watts to 1 KW to local sunset (250 watts night).

WSPA—Virgil V. Evans, tr. as The Voice of South Carolina, Spartanburg, S. C.—Construction permit to move transmitter locally, make changes in equipment, change frequency, power and hours from **1420 kc.,** 100 watts night, 250 watts to local sunset, unlimited time, to **920 kc.,** 2½ KW daytime hours of operation. Requests be considered under Rule 6(f).

WODX—Frank M. King, Mobile, Ala.—Consent to involuntary assignment of license from Mobile Broadcasting Corporation to Frank M. King, Receiver.

KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of license to change hours of operation from daytime to local sunset to 7:00 a. m. to 6:30 p. m.

WJBW—Chas. C. Carlson, New Orleans, La.—Modification of license to change hours of operation from shares equally with WBBX to unlimited time, facilities WBBX, New Orleans, La.

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Consent to voluntary assignment of license to Virgil V. Evans.

NEW—Ark-La-Tex Radio Corp., Tuscaloosa, Ala.—Construction permit for new station to use **1290 kc.,** 100 watts, unlimited hours, facilities WAML, Laurel, Miss. Amended re proposed transmitter location, equipment, and to request 250 watts.

WENC—Americus Broadcast Corp., Americus, Ga.—Construction permit to move transmitter, exact location to be determined near Albany, Ga., and move studio to Washington and Broad Streets, Albany, Ga., and make changes in equipment.

Fourth Zone

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to make changes in equipment, change frequency, and increase power from **1310 kc.,** 100 watts, to **1360 kc.,** 1 KW, facilities WGES, Chicago, Ill. Amended additional information re equipment.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—License to cover construction permit authorizing move of transmitter to Kansas City, Kans., granted 9-27-32.

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Authority to determine operating power by direct measurement of antenna.

Fifth Zone

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Modification of license to change hours of operation from specified hours to unlimited. Requests facilities in quota units from KGAR, Tucson, Ariz.

KDFN—Donald Lewis Hathaway, Casper, Wyo.—License to cover construction permit granted 8-25-33 to move transmitter and studio locally and make changes in equipment.

APPLICATIONS RETURNED

NEW—John Edison Stauffer, Pastor Central Presbyterian Church, Anniston, Ala.—Construction permit for new station to use **580 kc.,** 7½ watts, unlimited hours; 1 hour weekdays, 2 hours Sundays (Rules 120, 151, equipment and proposed location).

NEW—Boston Herald-Traveler Corp., Boston, Mass.—Construction permit for new station to use **1500 kc.,** 100 watts night, 250 watts to local sunset, unlimited time (request of applicant).

WKBC—R. B. Broyles, tr. as Broyles Furniture Co., Birmingham, Ala.—Construction to make changes in equipment (not signed and oath not executed; also Rule 6) and increase day power from 100 watts to 250 watts to local sunset.

WOL—American Broadcasting Co., Washington, D. C.—License to cover construction permit granted 8-22-33, new equipment (Section 7 not filled in).

NEW—Portsmouth Broadcasting Co., Talmage Edwards, Fred Lorey, J. Morgan Derr, Charles Pfau, Jr., and Arthur L. Laudeman, Portsmouth, Ohio—Construction permit for new station to use **1370 kc.,** 100 watts night, 250 watts to local sunset, unlimited time, facilities WHBD, Mt. Orab, Ohio. (Rule 6, requests facilities more than WHBD's assignment quota, Rule 140, and transmitter location.)

NEW—Midwestern Broadcasting Assn., St. Joseph, Mo.—Construction permit for new station to use **1500 kc.,** 100 watts, unlimited time, facilities KGIZ, Springfield, Mo. (Improperly signed.)

FREQUENCY MONITORS APPROVED

The Commission approved the frequency monitor of the Hygrade-Sylvania Corp., for use in broadcast stations, to comply with Rule 145. The Approval No. is given:

Mfg's Name	*Type*	*Approval No.*
Hygrade Sylvania Corp.	Model 30 J	1460

Other frequency monitors approved by the Commission to date follow:

Mfg's Name	*Type*	*Approval No.*
DeForest Radio Co.	ABM-106 Model A	1451
General Radio Co.	Oscillator Type 575-D Deviation Meter Type 581-A Quartz Plate Type 376-J	1452
Western Electric Co.	1-A Oscillator 700-A Modified	1453
RCA Victor Co.	EX-4180	1454
Doolittle & Falknor	FD-1	1455
Bremer Brdcstg. Corp.	A	1456
International Brdcstg. Equipment Co.	Type 60	1457
Piezo Electric Labs.	PM-125-A	1458
Pillar of Fire	A	1459

CALL SIGNALS CHANGED DURING WEEK OCT. 23

WKBO—Keystone Broadcasting Corp., Harrisburg, Pa.—Changed from WCOD.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS ★ ★ ★ ★ Vol. 1 - - No. 42
NOV. 9, 1933

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BROADCAST ADVERTISING IN SEPTEMBER

A total of $3,949,341.00 was spent by American business organizations for radio broadcast advertising during September of the current year. This represents a 6.9% increase in advertising volume over the previous month. Broadcast advertising volume for September was approximately 1% higher than for July of this year.

Advertising Trends in September

The total volume of broadcast advertising over national and regional networks and individual stations for the month of September is found in Table I:

TABLE I
TOTAL RADIO BROADCAST ADVERTISING VOLUME

	1933 Gross Receipts		
Class of Business	*August*	*September*	*Cumulative July-Sept.*
National networks	$1,907,481.00	$2,102,809.00	$5,819,763.00
Regional networks	32,262.00	14,281.00[1]	62,612.00
Individual stations	1,753,504.00	1,832,251.00	5,678,654.00
Total	$3,693,247.00	$3,949,341.00	$11,561,029.00

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[1] Part of the discrepancy between August and September is due to a reclassification of regional network accounts. Corrections will be made for August in next month's report.

National network advertising in September showed a gain of 12.4% over the previous month, while individual station revenues experienced a 5% gain over August. Individual station business is still lower than in July which can probably be explained on the basis of a somewhat slower seasonal upswing than is experienced by national network advertising volume. Regional networks have tended to follow the individual station experience. The seemingly marked decline in regional network revenue in September as against August is due primarily to a misunderstanding as to classification of regional network accounts in August. Corrections will be made for this discrepancy in the October report.

September national network revenues are still 16% behind those of the same month of 1932, while network revenues for the first nine months of the year are 30% behind the previous season. A marked gain has been experienced by networks in recent months since the foregoing figure compares very favorably with a lag of 38.5% which was experienced during the first quarter of the current year.

Comparison with Other Media

A comparison of September expenditures for radio broadcast advertising as against those for other leading advertising media is found in Table II:

TABLE II
ADVERTISING VOLUME MAJOR MEDIA

	1933 Gross Receipts		
Advertising Medium	*August*	*September*	*Cumulative July-Sept.*
Radio broadcasting	$3,693,247.00	$3,949,341.00	$11,561,029.00
National magazines	6,644,831.00	7,942,886.00	20,684,257.00
National farm papers	236,505.00	373,134.00	846,144.00
Newspapers	37,790,096.00	38,371,622.00	108,611,718.00
Total	$48,364,679.00[1]	$50,636,983.00	$141,703,148.00

---

[1] Changes in classification of magazine data have required a slight readjustment in the August total.

Dollar volume of national magazine advertising gained 4.5% as against August. Newspaper volume increased 1.6%, and that of national farm paper advertising 19.0%. The gains made by radio advertising during the month therefore compare favorably with those experienced by other media, and it seems as though radio is beginning to make up for its relative sluggishness at the outset of the second half of the current year. The volume of October revenue will be particularly interesting in giving an indication of what the trend will be during the 1933-1934 broadcasting season.

The volume of non-network advertising placed over stations of different classes of power and situated in different sections of the country is found in Tables III and IV:

TABLE III
NON-NETWORK BROADCAST ADVERTISING BY POWER OF STATION

	1933 Gross Receipts		
Power of Station	*August*	*September*	*Cumulative July-Sept.*
Over 5,000 watts	$772,736.00	$768,480.00	$2,502,011.00
2,500-5,000 watts	224,241.00	183,245.00	696,466.00
250-1,000 watts	560,790.00	666,267.00	1,895,592.00
100 watts and under	195,737.00	214,259.00	584,585.00
Total	$1,753,504.00	$1,832,251.00	$5,678,654.00

TABLE IV
NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

	1933 Gross Receipts		
Geographical District	*August*	*September*	*Cumulative July-Sept.*
New England Middle Atlantic Area	$410,002.00	$462,448.00	$1,462,105.00
South Atlantic South Central Area	268,376.00	288,802.00	829,209.00
North Central Area	640,115.00	676,341.00	2,028,985.00
Pacific and Mountain Area	435,011.00	404,660.00	1,358,355.00
Total	$1,753,504.00	$1,832,251.00	$5,678,654.00

It will be noted from the tables in question that there has been a slight decrease in business placed over the larger stations, while regional stations and local broadcasters have accounted for the major increases in September radio advertising volume. The upward trend in broadcast advertising volume in the South seems to be continuing, while Middle Western business is making up for the losses experienced in August. There have also been slight gains in advertising volume in the eastern part of the country.

The trends with regard to national spot and local broadcast advertising as well as with regard to electrical transcription business and other types of broadcasting rendition are found in Tables V and VI:

TABLE V
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1933 Gross Receipts		
Type of Rendition	*August*	*September*	*Cumulative July-Sept.*
Elec. transcriptions	$262,601.00	$303,605.00	$889,102.00
Live talent programs	818,607.00	916,041.00	2,668,228.00
Records	50,258.00	51,906.00	183,487.00
Spot announcements	622,038.00	560,699.00	1,937,837.00
Total	$1,753,038.00	$1,832,251.00	$5,678,654.00

TABLE VI
COMPARISON LOCAL AND NATIONAL SPOT ADVERTISING BY TYPE OF RENDITION
(September, 1933)

	Gross Receipts for Month		
Type of Rendition	*National Spot*	*Local*	*Total*
Elec. transcriptions..	$223,485.00	$80,120.00	$303,605.00
Live talent programs	295,023.00	621,018.00	916,041.00
Records	2,604.00	49,302.00	51,906.00
Spot announcements.	132,902.00	427,797.00	560,699.00
Total	$654,014.00	$1,178,237.00	$1,832,251.00

Electrical transcription business increased 15.6% over August. There was a slightly greater increase in local transcription volume than in national spot volume, the latter having increased but 11.6% over the previous month. General live talent business increased 10.6%, while national spot live talent volume rose 16.3%. There has been a marked decline in spot announcement volume which may indicate a resumption of advertising effort on the part of the users of radio broadcasting and a willingness of companies to sponsor more ambitious programs. There has been no appreciable change in the record situation since the marked decline which occurred in August.

Local advertising has still to show a fall upswing, a situation which is probably partly due to seasonal lag plus the uncertainty which exists in retail trade at this time. Participations, which are found in Table VII, declined approximately 9% during September.

TABLE VII
PARTICIPATION OVER INDIVIDUAL STATIONS

	1933 Gross Receipts		
Type of Rendition	*August*	*September*	*Cumulative July-Sept.*
Elec. transcriptions..	$141.00	$144.00	$395.00
Live talent..........	67,708.00	62,067.00	190,385.00
Records	16,284.00	15,623.00	52,127.00
Total	$85,133.00	$77,834.00	$242,907.00

Radio Advertising Sponsors

The volume of broadcast advertising in August sponsored by various industrial groups is found in Table VIII, while an analysis of spot and local broadcast advertising over individual stations is presented in Table IX.

TABLE VIII
RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS
(September, 1933)

	Gross Receipts for Month			
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*Individual Stations*	*Total*
1a. Amusements	—	—	$62,156.00	$62,156.00
1–2. Automobiles and accessories:				
(1) Automobiles	182,455.00	1,100.00	96,463.00	280,018.00
(2) Accessories, gas and oils.....................	262,257.00	2,220.00	111,340.00	375,817.00
3. Clothing and apparel................................	24,429.00	900.00	134,702.00	160,031.00
4–5. Drugs and toilet goods:				
(4) Drugs and pharmaceuticals.................	155,836.00	—	159,876.00	315,712.00
(5) Toilet goods	356,038.00	1,800.00	131,576.00	489,414.00
6–8. Food products:				
(6) Foodstuffs	431,598.00	3,541.00	264,835.00	699,974.00
(7) Beverages	244,833.00	972.00	62,832.00	308,637.00
(8) Confections	42,083.00	200.00	28,263.00	70,546.00
9–10. Household goods:				
(9) Household equipment and furniture.........	—	—	110,478.00	110,478.00
(10) Soap and kitchen supplies.................	94,325.00	—	59,597.00	153,922.00
11. Insurance and financial...........................	95,432.00	550.00	41,556.00	137,538.00
12. Radios	59,679.00	—	12,296.00	71,975.00
13. Retail establishments..............................	—	918.00	117,797.00	118,715.00
14. Tobacco products	113,277.00	—	1,898.00	115,175.00
15. Miscellaneous	40,567.00	2,080.00	436,586.00	479,233.00
Total	$2,102,809.00	$14,281.00	$1,832,251.00	$3,949,341.00

TABLE IX
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(September, 1933)

	Gross Receipts for Month		
Type of Sponsoring Program	*National Spot*	*Local*	*Total*
1a. Amusements	$4,671.00	$57,485.00	$62,156.00
1–2. Automobiles and accessories:			
(1) Automobiles	41,696.00	54,767.00	96,463.00
(2) Accessories, gasoline and oil..............................	59,369.00	51,971.00	111,340.00
3. Clothing and apparel..	18,190.00	116,512.00	134,702.00
4–5. Drugs and toilet goods:			
(4) Drugs and pharmaceuticals..............................	86,247.00	73,629.00	159,876.00
(5) Toilet goods	107,453.00	24,123.00	131,576.00
6–8. Food products:			
(6) Foodstuffs	102,464.00	162,371.00	264,835.00
(7) Beverages	23,630.00	39,202.00	62,832.00
(8) Confectionery	21,060.00	7,203.00	28,263.00
9–10. Household goods:			
(9) Household equipment and furniture..........................	25,371.00	85,107.00	110,478.00
(10) Soap and kitchen supplies..............................	44,259.00	15,338.00	59,597.00
11. Insurance and financial..	4,579.00	36,977.00	41,556.00
12. Radios	3,239.00	9,057.00	12,296.00
13. Retail establishments..	13,107.00	104,690.00	117,797.00
14. Tobacco products..	118.00	1,780.00	1,898.00
15. Miscellaneous	98,561.00	338,025.00	436,586.00
Total	$654,014.00	$1,178,237.00	$1,832,251.00

With regard to the total volume of radio advertising placed by different types of business, several interesting trends are to be noted. The advertising of automobile accessories, gasoline and oil increased approximately 30% during September, though still below July. Clothing advertising increased approximately 25% over August. Cosmetic advertising advanced 19.5%, though still remaining 11% below July. Advertising of foodstuffs increased 9% and represents the highest figure during the quarter. Advertising by radio manufacturers and dealers increased 28%, while soap and household equipment advertising rose slightly above August, representing a 34% gain since July. Advertising of household equipment dropped slightly, while automobile, beverage, financial, and general retail advertising more or less held their own. Tobacco advertising continued its downward trend of recent months.

National spot advertising trends followed those of the general field fairly closely, though not gaining as strongly in any one type of business. With regard to local broadcasting, amusement advertising declined approximately 24%, primarily due to the discontinuance of advertising by summer resorts, parks, and similar types of business. Gasoline advertising declined 14%, drug advertising rose slightly, and general retail advertising continued to hold its own. The special retail tabulation of local business will be found in Table X.

TABLE X

RETAIL ADVERTISING OVER INDIVIDUAL STATIONS

(September, 1933)

Type of Sponsoring Business	*Gross Receipts for Month*
Automobiles and accessories:	
Automobile agencies and used car dealers	$51,161.00
Gasoline stations, garages, etc.	26,805.00
Clothing and apparel shops	106,861.00
Drugs and toilet goods:	
Drug stores	7,408.00
Beauty parlors	858.00
Food products:	
Grocery stores, meat markets, etc.	30,959.00
Restaurants and eating places[1]	21,887.00
Beverage retailers	3,366.00
Confectionery stores, etc.	657.00
Household goods:	
Household equipment retailers[2]	30,411.00
Furniture stores	41,333.00
Hardware stores	6,832.00
Radio retailers	8,451.00
Department and general stores	103,797.00
Tobacco shops	154.00
Miscellaneous	68,066.00
Total	$509,113.00

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[1] Exclusive of hotels.

[2] Such as electric refrigerators, oil burners, sweepers, furnaces and the like.

The publication of the September report marks the completion of the first quarter for which information regarding total radio broadcast advertising volume has been made available. Enough information is now becoming available to make possible a determination of some of the trends in the field. It may be interesting to compare the volume of national network and individual station advertising, respectively, which has been done by various types of business during the past quarter. Information on this point is found in Table XI.

TABLE XI

COMPARISON OF NATIONAL NETWORK AND INDIVIDUAL STATION RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(Third Quarter, 1933)

	Gross Receipts for Quarter	
Type of Sponsoring Business	*National Networks*	*Individual Stations*
1a. Amusements	—	$145,703.00
1–2. Automobiles and accessories:		
(1) Automobiles	$477,569.00	282,338.00
(2) Accessories, gas and oils	780,641.00	449,100.00
3. Clothing and apparel	38,571.00	393,627.00
4–5. Drugs and toilet goods:		
(4) Drugs and pharmaceuticals	395,980.00	482,535.00
(5) Toilet goods	946,487.00	390,562.00
6–8. Food products:		
(6) Foodstuffs	1,123,196.00	868,375.00
(7) Beverages	690,750.00	207,790.00
(8) Confections	50,882.00	90,619.00
9–10. Household goods:		
(9) Household equipment and furniture	60,985.00	309,975.00
(10) Soap and kitchen supplies	233,410.00	173,919.00
11. Insurance and financial	263,255.00	148,912.00
12. Radios	151,997.00	31,324.00
13. Retail establishments	—	419,362.00
14. Tobacco products	462,507.00	10,862.00
15. Miscellaneous	143,533.00	1,273,651.00
Total	$5,819,763.00	$5,678,654.00

It will be noticed that during the three-month period ending September 30, national network advertising accounted for approximately 50% of total radio advertising volume, individual stations for approximately 49%, and regional networks for slightly less than 1% of broadcasting business. National networks enjoy the preponderant volume of automobile, gasoline, oil and accessories, toilet goods, beverage, soap, radio, and tobacco advertising. In the case of advertising by radio manufacturers and dealers this accounts for approximately 83% of total advertising done by this industry, while practically all of tobacco advertising is carried on over networks. On the other hand, approximately 90% of the clothing advertising, 85% of household equipment advertising, and the great majority of miscellaneous advertising is local in origin.

A comparison of the total volume of advertising placed through national networks, national magazines, and national farm papers during the first nine months of 1933 is found in Table XII.

TABLE XII

COMPARISON OF NATIONAL NETWORK, NATIONAL MAGAZINE, AND NATIONAL FARM PAPER ADVERTISING

(First nine months, 1933)

		Gross Receipts for Quarter	
Type of Sponsoring Program	*National Networks*	*National Magazines*[1]	*National Farm Papers*
1–2. Automobiles and accessories:			
(1) Automobiles	$1,187,688.00	$4,818,980.00	$227,276.00
(2) Accessories, gasoline and oil	2,676,756.00	4,877,217.00	517,660.00
3. Clothing and apparel	280,777.00	2,381,431.00	77,300.00
4–5. Drugs and toilet goods:			
(4) Drugs and pharmaceuticals	1,763,550.00	6,246,250.00	189,890.00
(5) Toilet goods	3,417,887.00	10,289,740.00	174,020.00
6–8. Food products.			
(6) Foodstuffs	3,968,167.00	11,061,065.00	392,001.00
(7) Beverages	2,285,283.00	3,652,100.00	46,660.00
(8) Confectionery	468,481.00	486,460.00	1,125.00
9–10. Household goods:			
(9) Household equipment and furniture	323,898.00	3,307,987.00	71,442.00
(10) Soap and kitchen supplies	708,189.00	5,615,418.00	316,232.00
11. Insurance and financial	770,222.00	1,907,095.00	12,247.00
12. Radios	408,384.00	649,703.00	24,301.00
13. Retail establishments	—	—	—
14. Tobacco products	2,209,441.00	3,546,547.00	134,670.00
15. Miscellaneous	613,474.00	11,529,894.00	881,503.00
Total	$21,082,197.00	$70,369,897.00	$3,066,327.00

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[1] 108 national magazines.

A comparison of national network and national magazine advertising is particularly interesting. It will be noted that national network advertising of gasolines, oils and automobile accessories is equal to 55% of the volume of national magazine advertising; and in the case of drugs, the proportion is 28%, cosmetics 38.2%, foodstuffs 35%, beverages 63%, confectioneries 96.2%, radios 62.9%, and tobacco 62%. This gives some indication of the relative use of the two media by various industries in their national advertising.

A breakdown of national magazine advertising for the first nine months of 1933 by types of advertisers is found in Table XIII.

TABLE XIII

NATIONAL MAGAZINE ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS[1]

	1933 Gross Receipts for Month									
Type of Advertising Business	*Jan.*	*Feb.*	*Mar.*	*April*	*May*	*June*	*July*	*Aug.*	*Sept.*	*Cumulative Jan.-Sept.*
1–2. Automobiles and accessories:										
(1) Automobiles	$870,627	$666,849	$691,705	$530,420	$348,492	$373,606	$408,317	$355,397	$573,567	$4,818,980
(2) Accessories, gasoline and oil	335,731	313,837	501,225	667,549	623,336	602,063	672,630	610,255	550,591	4,877,217
3. Clothing and apparel	85,507	182,811	330,474	430,708	436,178	301,772	177,571	66,456	369,954	2,381,431
4–5. Drugs and toilet goods:										
(4) Drugs and pharmaceuticals	658,333	1,060,370	990,206	740,723	671,873	607,176	521,693	430,043	565,833	6,246,250
(5) Toilet goods	588,057	1,348,068	1,483,960	1,583,233	1,269,237	1,029,392	971,681	878,772	1,137,340	10,289,740
6–8. Food products:										
(6) Foodstuffs	1,012,486	1,530,882	1,480,794	1,614,823	1,456,405	1,062,876	1,038,657	846,938	1,017,204	11,061,065
(7) Beverages	190,181	389,313	426,573	508,550	461,246	406,904	435,198	355,629	478,506	3,652,100
(8) Confectionery	38,740	60,449	66,241	61,757	56,363	49,270	32,991	51,392	69,257	486,460
9–10. Household goods:										
(9) Household equipment and furniture	150,292	424,900	465,378	598,130	635,599	365,664	162,714	117,622	387,688	3,307,987
(10) Soap and kitchen supplies	326,788	643,861	754,695	806,013	801,551	707,253	520,657	458,730	595,870	5,615,418
11. Insurance and financial	218,406	208,136	220,462	206,827	225,892	211,073	202,773	175,041	238,485	1,907,095
12. Radios	87,118	64,761	70,395	51,956	52,012	55,675	85,180	81,152	101,454	649,703
13. Retail establishments	—	—	—	—	—	—	—	—	—	—
14. Tobacco products	336,001	423,131	401,868	446,476	388,573	386,683	376,557	354,784	432,474	3,546,547
15. Miscellaneous	1,028,894	1,252,491	1,455,731	1,613,426	1,604,299	1,329,073	967,311	813,245	1,465,424	11,529,894
Total	$5,927,161	$8,569,859	$9,339,707	$9,860,591	$9,031,056	$7,488,480	$6,573,930	$5,595,456	$7,983,647	$70,369,897

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[1] 108 national magazines.

GENERAL BUSINESS CONDITIONS

The general business situation is relatively unchanged since the publication of the last report. There have been further business recessions from the peak of last July. Since September 30 the New York Times Index of Business Activity declined from 78.4 to 76.6 as of October 28th. The Index was 79.8 on September 9th. The Combined Price Index of the Department of Labor dropped from 71.1 on September 30th to 70.4 as of the end of October. During the same period, the Food Price Index declined from 64.9 to 63.4, while farm products dropped from 58.0 to 54.2. Car loadings moved contrary to the usual seasonal upswing, declining from 69.0 to 67.8 as of October 21st.

There was a marked decline in automobile production during the month, the Index standing at 33.1 on October 28 as against 57.5 at the end of September. Steel ingot production declined from 50.0 to 40.8 during the same period. There has been a general improvement in retail trade during the month, though figures are not as yet available from which to judge the full effect of this movement.

In spite of the recessions noted above, all of the business indices tend to be appreciably above those of the same period of 1932.

Probably the best explanation of the present situation is to be found in the following quotation from the Ocober issue of the Federal Reserve Bulletin:

> "For the past two months there has been a reaction in industry from the exceptionally rapid expansion of activity during the spring and early summer months. Notwithstanding this reaction, business was in considerably larger volume in August and September than in March.
>
> "At the time of the banking holiday industrial activity was close to the lowest level of the depression. Almost immediately after the reopening of the banks there was an increase in activity. The increase was accelerated by the prospects of increased costs and price advances as a result of processing taxes and code provisions and also by anticipation of inflation. In particular, industries making semifinished, storable goods were influenced by these prospects; some industries, notably textiles and shoes, advanced production rates in the early summer to the highest levels on record.
>
> "The decline in industrial activity during the past two months has come, in large measure, in the industries in which expansion previously had been most rapid."

At the present time, two basic problems loom most important as determinants of future business recovery. The first of these is the necessity of materially increasing mass purchasing power and at the same time the seeming necessity of raising prices to levels which will enable the payment of dividends and interest upon the more reasonable pre-depression capital structures. The second problem is that of absorbing excessive plant capacity in the basic industries without having such absorption resulting in a too great drag upon reemployment. The reconciliation of these factors is the real task facing business and government at the present time.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS * * * *

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BOARD MEETING AT WASHINGTON

The reorganization meeting of the Board of Directors of the National Association of Broadcasters was held at the Mayflower Hotel, Washington, D. C., Thursday, November 9.

President McCosker presided. The following were present: John Shepard III, I. D. Levy, H. K. Carpenter, William S. Hedges, I. R. Lounsberry, Lambdin Kay, W. Wright Gedge, J. Thomas Lyons, Arthur B. Church, Walter J. Damm, Ed B. Craney, Henry A. Bellows, J. Truman Ward, Frank M. Russell, I. Z. Buckwalter, and Philip G. Loucks, Managing Director.

Mr. Levy submitted an oral report on copyright activities of the NAB since the convention. He said returns from his request for funds to carry on the copyright campaign had been satisfactory and that stations seemed to agree that the payment of 10 per cent of the amount paid monthly to the American Society of Composers, Authors and Publishers was a proper basis for assessment for copyright funds. He was unable, however, to predict what amount would be realized.

Both Mr. Levy and J. C. Hostetler, law partner of Hon. Newton D. Baker, reported briefly on the status of the dissolution suit filed by Station WIP, Philadelphia, Pa., against the Society, pointing out that the Society had filed its answer and that the case would undoubtedly go down for hearing. Mr. Hostetler said that it would be necessary to call for information from stations as his firm proceeded with the preparation of the case and expressed the hope that stations would cooperate liberally in this effort.

Mr. Levy reported that he had several informal conferences with publisher and composer members of the Society since the White Sulphur Springs meeting with a view to learning the Society's attitude toward a revision of present contracts under which the royalty would be assessed only upon programs using music. He said these conferences had not progressed very far, and that the way was open for further conferences. He explained that he would not endeavor to bind the industry to any agreement that might be reached, but would report his activities to the Board at the next meeting.

The Board then took up the matter of the reappointment of Oswald F. Schuette and voted to continue his services on a retainer basis. Mr. Schuette explained that he did not desire to continue as NAB copyright director since he had developed plans for a more general campaign against the licensing practices of the Society not only as these practices related to radio but as they also related to restaurants, theaters, hotels and other users of copyrighted music. He remains, however, as President of the Radio Program Foundation which was created by the NAB to build up an independent reservoir of music.

The status of the Radio Program Foundation was discussed and it was pointed out that this organization was under the management and direction of a separate Board of Trustees and that the affairs of that unit would be considered at the next meeting of the Trustees.

The Managing Director then laid before the Board a draft of the Code of Fair Competition for the Broadcasting Industry, explaining that Deputy Administrator Sol A. Rosenhlatt was prepared to lay the code before the President for signature upon receipt of reports from the various divisions of the National Recovery Administration. The conferences of the past several weeks, and the results of such conferences, were explained, and the provisions of the code in its present form were explained. The Board voted to recommend the code as presented to the industry and authorized and directed President McCosker to sign it on behalf of the Board of Directors. The code is now being printed and official prints will be ready for distribution just as soon as President Roosevelt signs it. It is expected that the President's signature will be affixed to the code within the next few days.

The Managing Director laid before the Board a letter from Leo B. Tyson of Los Angeles, Calif., tendering his resignation from the Board because he is no longer connected with a radio station. The Board accepted the resignation of Mr. Tyson and elected C. W. Myers, KOIN, Portland, Ore., to fill Mr. Tyson's unexpired term of approximately two years.

In connection with the report and recommendations of James W. Baldwin, relating to the international aspects of broadcasting, and adopted at the annual meeting, the Board adopted a resolution authorizing the Executive Committee to make the necessary investigations and preparations looking toward the adoption by the Government of proposals concerning regional and international agreements and treaties affecting radio broadcasting and to employ such personnel and make such expenditures as are necessary to accomplish this purpose.

The Board took up the recommendations contained in the report of the Engineering Committee adopted at the annual convention and approved a motion authorizing the Executive Committee to employ such technical assistance as is required to fulfill obligations to standardize technical surveys; to promote activities already under way leading to establishment of standards of broadcasting operation and to improvement in operating technique, and to perform such other duties as may arise.

Routine resolutions authorizing the Managing Director to deposit and disburse moneys of the Association were adopted.

The Managing Director then laid before the Board certain communications from Station WFBL, Syracuse, N. Y., relating to a threatened suit under the Civil Rights law of New York State, under which it claimed that private citizens are protected in their right of privacy against use of their names in commercial radio programs. The matter was discussed at length and it was decided that since the question was one affecting New York stations alone, that it should be referred to the New York State Committee.

The Managing Director then placed before the Board certain correspondence in connection with the recent WIBO case which suggested the employment of someone to secure passage of legislation designed to amend the radio laws. The correspondence was considered and the questions raised therein discussed but it was decided that in view of the lack of funds that the Association could not act favorably upon the recommendation contained in the letter transmitting the correspondence.

The Managing Director called the attention of the Board of Directors to the very heavy demand being made upon NAB headquarters for debate material on the negative side of the national debate question, "Resolved that the United States adopt the essential features of the British system of radio operation and control." He pointed out that he had mimeographed several hundred copies of an article prepared by Dr. Herman S. Hettinger of the Wharton School of Commerce, University of Pennsylvania, but that the increased demands for material from high school and college students made it necessary for the Association to compile and publish debate material to meet these requests. He announced that arrangements for publication had been completed and the Board authorized him to defray the expenses of printing and mailing.

The Managing Director called attention of the Board to the proposal to encourage the Post Office Department to make a nation wide count of radio receiving sets, pointing out that certain Government departments, including the Federal Radio Commission, had indicated an interest in such survey. The communication from the Department of Commerce setting forth the conditions under which such count could be undertaken was read. Since it would involve the expenditure of approximately $4,000.00 the Board felt the Association's financial position would not warrant the incurring of such an obligation at this time.

The new dues section of the By Laws approved at the White Sulphur convention and fixing the rate of dues at two-tenths of one per cent of net sales of broadcasting facilities was discussed. The Managing Director expressed the view that unless all stations joined the Association it might be necessary to curtail the activities of the Association during the next year. Several members of the Board disagreed with the statement that the income of the Association would be reduced under the new schedule. It was decided that a study of the new dues system should be made during the first three months of the new year and a report made thereon to the Board. The new scale of dues becomes effective on December 31, 1933 and payments of dues for January are to be based upon December business.

It was pointed out that hearings in Congress will be started on the Tugwell bill to revise the Food and Drugs bill on December 7. The Board made provision for representation at the hearing and directed that the Association's position as expressed at the White Sulphur Springs convention be expressed.

EARLY APPROVAL OF CODE SEEN

With the labor, industrial and legal departments of the National Recovery Administration in virtual agreement, it is expected that Deputy Administrator Sol A. Rosenblatt will present the Code of Fair Competition for the Broadcasting Industry to the President for approval within the next few days.

The code, in its present form, provides for the creation of a Code Authority of nine persons with three Government representatives, who shall serve without vote, all to be appointed by the President.

The code will be printed by the Government just as soon as approved, and the NAB will send copies to the industry in its approved form.

Last minute changes in the text of the code were directed to the style and uniformity of the code and do not materially change the substance of the draft as submitted by the NAB Code Committee. A number of provisions, standard in all codes, were inserted by the NRA prior to sending it to the President for approval.

The report of James W. Baldwin, industrial advisor, raised questions of license terms. He pointed out that the industry is faced with the situation where one branch of the government (the Federal Radio Commission) is licensing and regulating an industry and another branch of the government (The National Recovery Administration) is making decisions of the greatest importance to that industry's economic existence and suggests the closest kind of cooperation between these two agencies. In his discussion of the matter, he said:

"This is a Federally licensed Industry, subject to rigid obligations to serve the public interest. It should be pointed out that each of the 588 broadcasting stations must seek a renewal of its license to operate every six months; that in practice a great many owners of stations, at renewal periods, are faced with the necessity of prosecuting their applications against some one who seeks to take their radio facilities away from them. Often-times such applications are frivolous in character. Nevertheless, the licensee, in such cases, is compelled to engage technical and legal aid in order that he may prove his case at a formal hearing which is conducted by the Federal Radio Commission. Frequently, this is so where the Federal Radio Commission, over a period of several years, has found that the station was operated in the public interest."

"The cost of these proceedings is very great. It requires station owners, through no fault of theirs, to spend substantial sums for the services of expert radio engineers and lawyers, which otherwise could be used to engage a greater number of employes with benefit to programs rendered."

"The Radio Act of 1927 provides for license periods not exceeding three years (Sec. 9). While the Industry was being formed, there could be no question as to the wisdom of limiting license periods to short terms. Today, however, the state of the art, and the power of the Government to revoke licenses for violation of or failure to observe any of the restrictions and conditions of the Radio Act of 1927 or of any regulation of the licensing authority authorized by that Act or by a Treaty ratified by the United States, etc. (Sec. 14), make short-term licenses unnecessary. In view of the commitment now being required of every broadcaster under the terms of the National Recovery Act, it is a manifest injustice that this Industry should be compelled to measure the existence of every one of its component parts in terms of not more than six months. As a definite part of the National program of recovery and increased stability and confidence, the Broadcasters are clearly entitled to the full term of license provided by Congress in the Radio Act of 1927. I cannot recommend that the Radio Broadcasting Industry be required to make additional fixed and permanent commitments unless it first can be given the full measure of protection provided by law."

EIGHT NEW NAB MEMBERS

The Board of Directors at its meeting in Washington on November 9, 1933, approved applications for membership from eight stations. This brings the membership to 282, which is very nearly half of the broadcasting stations in the United States. The new members are the following:

KGGC, San Francisco, Calif.
WFBC, Greenville, S. C.
KTAB, San Francisco, Calif.
KRSC, Seattle, Washington.
WABI, Bangor, Maine.
KTBS, Shreveport, La.
WGBF, Evansville, Ind.
W2XR, New York, N. Y.

W2XR is the first television station to apply for membership. It is operated by Radio Pictures, Inc., of which John V. L. Hogan is President.

WTAG POWER INCREASE APPROVED

The Radio Commission this week partially upheld Report No. 489 of former Chief Examiner Ellis A. Yost in the case of Stations WTAG, Worcester, Mass., and WOBU, Charleston, W. Va. The stations asked that their power be increased to 500 watts day and night.

A preliminary order was issued by the Commission granting temporary special authority to Station WOBU to operate stations WTAG and WOBU with 500 watts power during day and night hours subject to special conditions imposed by the Commission. These conditions include the fact that the Commission reserves the right to terminate the 250 watt nighttime power at any time without hearing and that the regular licenses of the stations shall continue in full force and effect for the time specified.

PHILADELPHIA STATIONS DENIED POWER BOOST

Application of Stations WIP, WFI, and WLIT, all of Philadelphia, for an increase in their power from 500 to 1,000 watts was denied this week by the Radio Commission, upholding Examiner George H. Hill in his Report No. 497.

In its decision the Commission found that if the power increases were granted that it would be likely to cause increased interference, and that the public interest "would not be served by the granting of any one of the three applications involved herein."

DENY TIME INCREASE TO WHDH

The Radio Commission on Friday sustained Examiner George H. Hill in his Report No. 502 by denying the application of Station WHDH, Boston, a modification of license to operate unlimited time on its frequency of 830 kilocycles.

The Commission found that it "does not appear that there is a substantial need in Boston and vicinity for the additional service which the applicant proposes to render."

KWKC DENIED UNLIMITED HOURS

Station KWKC, Kansas City, Mo., using a frequency of 1370 kilocycles, applied to the Commission for an increase in operating time from specified hours to unlimited time. In Report No. 521 this week, George H. Hill, e, recommends that the application be denied.

The Examiner points out in his report that while no interference would result by granting the request, "the granting of the application would result in an increase in the broadcasting facilities of an already over-quota state and zone" and would violate the rules of the Commission.

RECOMMENDS WCAO DAY POWER INCREASE

Broadcasting Stations WCAO, Baltimore; WICC, Bridgeport, Conn.; and WCAC, Storrs, Conn., all operating on a frequency of 600 kilocycles, petitioned the Radio Commission to increase their power to 500 watts.

In Report No. 520 this week, Ralph L. Walker, e, recommended that in so far as the application of WCAO is concerned for 500 watts daytime power, that that be granted, but denied for nighttime; that the applicaion of WICC for 500 watts be denied; and that the application of WCAC for increased power be denied, but that its request to change the licensee to "The Connecticut State College" be granted.

COMMISSION UPHELD IN WREC DECISION

The Radio Commission was upheld his week by the Court of Appeals of the District of Columbia in its decision in the so-called WREC case, Docket No. 5846.

On November 15, 1929, the Radio Commission granted WMT, Waterloo, Iowa, additional nighttime power of 250 watts, on an experimental basis. It already had 250 watts on a regular basis.

Station WREC, Memphis, Tenn., operating on the same frequency of 600 kilocycles, protested this decision. The case was heard before an Examiner, who recommended that the 250 watts experimental additional power be taken from Station WMT. The Commission held a hearing in the case and the Examiner was overruled. WREC appealed in the Court of Appeals, which has now upheld the Commission's decision.

In its decision the Court states that "a question also is raised by appellant concerning the application of the Davis amendment to this situation. We think, however, that it is not applicable, for the reason that each station is in an over-quota state and in an over-quota zone, and that consideration is not important in the decision of the case."

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Atascadero Oil Company, Atascadero, Calif. (2-373)

Bank Block Investment Company, Parkersburg, W. Va. (2-377)

Committee for the Reorganization of the Capital Reservation Land Trust, Chicago, Ill. (2-378)

Congress Gold Mines, Ltd., Vancouver, Canada. (2-379)

Greenebaum Sons Investment Company, Chicago, Ill. (2-375)

Liberty Loan Corporation, Chicago, Ill. (2-374)

Lynchburg Distillery Company, Cincinnati, Ohio. (2-370)

New Deal Mining Company, Las Vegas, Nev. (2-372)

New York-Buffalo Trading Corporation, New York City. (2-371)

Standard Finance Corporation, Denver, Colo. (2-376)

ARK-LA-TEX CASE DISMISSED

The appeal of the Ark-La-Tex Radio Corporation of Shreveport, La., against the Federal Radio Commission was dismissed this week on the motion of the Commission by the Court of Appeals of the District of Columbia.

On September 15 the Commission rendered a decision consenting to the assignment of the broadcasting license of Station KWKH to the International Broadcasting Corporation. The Ark-La-Tex Corporation appealed this decision which has just been dismissed.

EMERGENCY FREQUENCY DISCUSSED

Pursuant to a resolution introduced by Commissioner Lafount which was referred to the Engineering and Legal Divisions of the Federal Radio Commission for study, a meeting was held November 10 for discussion of the proposal to set aside a frequency or frequencies for emergency use in case of disaster on land, such as floods, hurricanes, or earthquakes.

The consensus of opinion expressed at the meeting, which was attended by representatives of the Army, Navy, Coast Guard, Airways, the various communications companies and the NAB, was that emergency operation would not be improved by assignment of such frequency or frequencies.

GRANGE RESENTS NEWS BAN

The Wishkah Balley Grange No. 634, Aberdeen, Washington, adopted a resolution protesting against any legislation which "would in any way prohibit or lessen the broadcasting of news." The resolution condemned the press for its attempt to prohibit the broadcasting of news by radio.

"BROADCASTING AND PEACE"

The Committee of Experts of the League of Nations has just completed a report entitled "Broadcasting and Peace," which is now available for distribution. Copies may be had by writing to Ch. Mercier, secretary, Societe des Nations, Institute International de Cooperation Intellectuelle, Paris, 2 Rue de Montoensier.

FAVORS DENIAL OF ERIE APPLICATION

The Radio Commission on November 3 upheld Report No. 518 of Examiner Ralph L. Walker in which he recommended that the application of Joseph S. Crawford and L. E. Ore for the erection of a new broadcasting station at Erie, Pa., be denied as in cases of default. The applicants applied for a frequency of 1420 kilocycles, 100 watts power and unlimited time. The case came on for hearing on October 26 but the applicant failed to make any appearance.

OPPOSES LA GRANDE, ORE., PERMIT

The Eastern Oregon Broadcasting Company, Inc., applied for a construction permit for a new station at La Grande, Ore., while Station KOAC, Corvallis, Ore., asked for a license renewal. In report No. 517 this week (George H. Hill, e), it was recommended that the application for the new station be denied and that the application for license renewal for Station KOAC be granted. The Examiner found that the Eastern Oregon Broadcasting Company "failed to establish that it is legally, technically and financially qualified to construct and operate the proposed station" while he further found that the continued operation of KOAC "would serve public interest, convenience and necessity."

RECOMMENDS KGIZ ASSIGNMENT

Station KGIZ, Grant City, Mo., asked for voluntary assignment of its license from the Grant City Park Corporation to KGBX, Inc., and for voluntary assignment of its construction permit to move to Springfield, Mo. In Report No. 519 (George H. Hill, e) it is recommended that the Commission affirm its grant of consent to the voluntary assignment as applied for and that the assignment of the construction permit also be granted. A protest has been filed with the Commission on its former decision and therefore it was referred to the Examiner for hearing. The Examiner found that public interest would be served by the assignments requested and he found further that the assignee applicant, Station KGBX is technically, financially and otherwise qualified to take over the assignment.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Tuesday, November 14, 1933

NEW—The State Journal Co., Lansing, Mich.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

Thursday, November 16, 1933

WMBR—F. J. Reynolds, Tampa, Fla.—Voluntary assignment of license to F. J. Reynolds, Inc.; **1370 kc.,** 100 watts, unlimited time.

WMBR—F. J. Reynolds, Inc., Jacksonville, Fla.—C. P., **1370 kc.,** 100 watts, unlimited time. Requests authority to move station from Tampa to Jacksonville.

APPLICATIONS GRANTED

KGIZ—Grant City Park Corporation, Springfield, Mo.—Granted modification of C. P. for extension of completion date from 10-31-33 to 1-31-34.

WHBC—(Telegram) Edward P. Graham, Canton, Ohio.—Granted authority to operate simultaneously with WNBO November 11 and November 25 from 3:00 p. m. to 6:00 p. m. to broadcast football games. WNBO's consent received.

WEBC—(Telegram) Head of the Lakes Broadcasting Co., Superior, Wis.—Granted authority to use auxiliary transmitter from November 8 to 28 while erecting a new radiator.

WHET—Joe K. Jernigan, Cyril W. Reddoch, J. C. Smith, and J. T. Hubbard, d/b as Troy Broadcasting Co., Troy, Ala.—Granted C. P. to move station from Troy to Dothan, Ala.; studio in Houston Hotel, transmitter southeast Alabama Fair Grounds, and change frequency from **1210 kc.** to **1370 kc.**

KRE—First Congregational Church of Berkeley, Calif.—Granted modification of license to change specified hours to as follows: Daily except Sunday: 7 a. m. to 1 p. m., 6:30 to 9:30 p. m., PST; Sunday: 10 a. m. to 2 p. m., 4 to 6 p. m., 6:45 to 9:45 p. m., PST.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authorization to operate from 8 to 10:30 p. m. February 19, 1934, CST, provided KGGF remains silent.

WNRA—Kathryn Jones, Florence, Ala.—Granted authority to operate unlimited time during period of program test, and pending resumption of operation by WAMC.

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted authority to operate night of November 10, in order to broadcast a program of veterans' organizations at Eureka.

SET FOR HEARING

KWWG—Frank P. Jackson, Brownsville, Tex.—Consent to voluntary assignment of license to Port Arthur College.

WSBT—The South Bend Tribune, South Bend, Ind.—Renewal of license application.

MISCELLANEOUS

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Construction permit retired to the closed files (granted March 3, 1933). To construct auxiliary transmitter to be used while moving main transmitter.

WGCP—May Radio Broadcast Corp., Newark, N. J.—Reconsidered and granted application for increase in power from 250 watts to 1 KW night and 2½ KW day to offset increase in power given WODAAAM Corp. WGCP operates 1/7 time on frequency of **1250 kc.**

WFIW—WFIW, Inc., Hopkinsville, Ky.—Granted modification of C. P. to move its transmitter from Nashville Pike, Hopkinsville, Ky., to a location in Louisville, Ky., to be determined by tests, and to move studio from 8th and Main Streets, Hopkinsville, Ky., to a location in Louisville to be selected, with the commencement date to be December 10, 1933, and completion date not later than March 10, 1934.

APPLICATIONS RECEIVED

First Zone

NEW—S. George Webb, Newport, R. I.—Construction permit for new station to use **1320 kc.,** 250 watts, unlimited time. Amended to request **1390 kc.**

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit, granted 11-17-31 for 50 KW station, to extend dates of commencement and completion to 1-16-34 and 6-16-34.

Second Zone

WFIW—WFIW, Inc., Hopkinsville, Ky.—Modification of construction permit granted 6-16-33 (move station to Louisville, Ky.) for approval of exact location—Brown Hotel, 4th and Broadway, Louisville, Ky., and extension of commencement and completion dates.

NEW—Joseph G. Mayer and Clarence R. Cummins, Erie, Pa.—Construction permit for new station to use **1420 kc.,** 100 watts, unlimited time, facilities formerly assigned WERE, Erie, Pa. Resubmitted corrections made.

Third Zone

NEW—Virgil V. Evans, Rock Hill, S. C.—Construction permit for new station to use **1370 kc.,** 100 watts, daytime, facilities WBHS, Huntsville, Ala.

WQAM—Miami Broadcasting Co., Miami, Fla.—Construction permit to move main transmitter locally.

WQAM—Miami Broadcasting Co., Miami, Fla.—Construction permit to move auxiliary transmitter locally to proposed location of main transmitter.

Fourth Zone

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Modification of construction permit granted 6-30-33 (changes in equipment) requesting authority to move transmitter locally.

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Special experimental authorization to operate from 5 p. m. to 7 p. m. during November and December.

KGIZ—Grant City Park Corp., Springfield, Mo.—Modification of construction permit granted 6-30-33 to extend date of completion to 1-1-34.

Fifth Zone

None.

APPLICATIONS RETURNED

WNBW—WNBW, Inc., Carbondale, Pa.—Modification of construction permit granted 8-18-32 requesting move of transmitter and studio, change equipment and extension commencement and completion dates. (Request of applicant.)

NEW—Pecan Valley Broadcasting Co., Walter J. Stewart, Pres., Brownwood, Tex.—Construction permit for new station at Brownwood, Tex., to use **1420 kc.,** 100 watts, unlimited time, facilities WDAH, El Paso, Tex. (Rules 6 and 43—improperly filed.)

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Construction permit move transmitter locally, new equipment, and increase power from 1 KW to 1 KW night, 2½ KW to local sunset. (Rules 6 and 4.)

The National Association of Broadcasters
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BROADCASTERS' CODE AWAITS SIGNATURE

The Code of Fair Competition for the Broadcasting Industry still awaits the signature of President Roosevelt before it becomes binding upon the broadcasters.

The code, revised by the NRA to meet some of the objections interposed by the labor and consumer advisory boards, was in final draft form on Friday night and Deputy Administrator Rosenblatt was adding finishing touches to his report recommending government approval of the code. It was believed, however, that the code would not be approved by General Johnson and sent to the White House in advance of the President's trip to Warm Springs, Ga. An official announcement made at NRA Friday stated that the President would sign codes during his stay in the South and after the broadcasters' code receives General Johnson's approval it is expected that it will be sent to Georgia for presidential approval. The code would become effective upon the second Monday following the date of approval.

Immediately upon its signature by the President, official copies of the code will be made available to every broadcaster.

DILL INTERESTED IN LINE RATES

Senator C. C. Dill (D), Washington, chairman of the Senate Committee on Interstate Commerce, intends to make a survey of charges by telephone companies for broadcasting line purposes.

In Washington during the past several weeks giving attention to a legislative program for the next session of Congress which convenes on January 3, Senator Dill told Robert D. Heinl, Washington newspaper correspondent, that he became interested in the telephone line problem during the summer months. "The networks and stations each year spend millions for telephone line charges," he said. "This runs up the cost of broadcasting and puts a terrific burden on the stations. The various states are unable to secure hook-ups without large fees being exacted by the telephone companies and this is one of the greatest factors in the high cost of broadcasting."

Senator Dill favors the use of short waves for school broadcasting along the lines suggested by Commissioner Lafount some time ago. He said if a license fee is exacted on broadcasting stations a portion of this money should be used for the preparation of educational programs. He said he does not favor setting aside 15 per cent of all facilities in the broadcast band for education.

Senator Dill expressed the opinion that any radio legislation enacted at the forthcoming session of Congress would be predicated upon the report and findings of the Roper Committee on Communications which has been giving study to the general communications problem for several months.

It is understood that the Roper Committee has virtually completed its work and is prepared to report to President Roosevelt. If the President approves the report it will be sent to Congress as a basis for legislation. The text of the report and its recommendations have not been made public.

Senator Dill was a caller at the White House this week and it is understood that he discussed with the President the program for his Committee during the forthcoming session of Congress.

KANSAS TAX ON BROADCASTING

The Emergency Sales Tax Act of 1933, Senate Bill No. 164-X, introduced at the First Special Session of the Kansas Legislature by the Committee on Manufacturers and Industrial Pursuits, was on November 15th referred to the Committee of the Whole.

This bill is similar to one in Oklahoma which became law earlier this year and is now under attack. It proposes a five per cent tax on the gross proceeds of sales of service in radio casting. Section 3 of the bill provides as follows: "There is hereby levied a tax in the amounts hereinafter set out upon the gross proceeds of sales as follows: (a) Upon all sales of tangible personal property consisting of goods, wares or merchandise, a tax of two per cent; (b) upon all sales of tickets or admissions to places of amusement and athletic events, a tax of five per cent; (c) upon all sales of electricity, electric light current, electric power, gas (natural or artificial) to domestic or industrial consumers thereof, a tax of three per cent; (d) upon all sales of service to telephone subscribers and others for the transmission of messages or conversation, whether local or long-distance, a tax of three per cent; (e) upon all sales of service for the transmission of messages by telegraph companies, a tax of three per cent; (f) upon all sales of service in radio casting, hiring, or renting of radio casting equipment or facilities, a tax of five per cent; (g) upon all sales of food, confections, or drinks prepared or compounded by hotels, restaurants, or other dispensers, served for immediate consumption upon the premises, or delivered or carried away from the premises for consumption elsewhere, a tax of five per cent."

The act further provides that the taxes shall be due and payable monthly, requires returns to be filed under oath, and gives the county treasurer authority to summon any person before him with his books and records for examination. The penalty for not paying the tax on time is double the amount of the tax plus ten dollars per day for each day it remains unpaid.

Section 7 of the act provides that all sales which the state of Kansas is prohibited from taxing under the constitution or laws of the United States shall be exempt from taxation under the act.

The act abolishes practically all real estate taxes except where outstanding bond issues are dependent upon them. If it becomes law it is to be effective December 1, 1933, and to expire December 31, 1935.

MISSOURI TAX PROPOSED

A bill proposing a general sales tax on broadcasting, similar to the Oklahoma law, and the proposed Kansas law, has been introduced in the Missouri Legislature. The rate of the tax levied in the Ways and Means Committee substitute for Nos. 3-X, 4-X and 6-X is one-fourth of one per cent.

The bill contains the usual saving clause in case of unconstitutionality; the customary section to prevent the seller from absorbing or claiming to absorb the tax; requires the filing of monthly returns; and by its own limitation expires after two years.

Section 3 of the act reads as follows: "For the privilege of selling tangible personal property at retail and/or furnishing or rendering the services hereinafter designated and/or defined, a tax is hereby imposed upon the person or persons as in this act defined at the rate of one-fourth of one per cent of the gross receipts of any such retailer from the sale of all tangible personal property, and/or furnishing the services hereinafter designated and/or defined sold in this state on and after December 1, 1933, or the effective date of this act, whichever is the latest, to and including December 31, 1935, such tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes; services upon which such tax shall be levied are from all receipts received and derived from the following: (a) * * *. (e) Upon all sales of service by radio casting equipment or facilities. (f) * * *."

THREE 50-KW APPLICATIONS GRANTED

Stations WBZ, Boston; WHAM, Rochester, and WGN, Chicago, were all granted permission to increase their power from 25,000 to 50,000 watts by the Radio Commission this week using their present frequencies. The decision was the result of a hearing by the Commission en banc held on October 4.

The Commission's grounds for decision in these three cases were the same.

It was found that "the applicant is qualified and able to increase the power of station . . . from 25 kilowatts to 50 kilowatts and to operate the station at that power in such manner as to serve the public interest," also "that from what appears in the evidence of this case the use of 50 kilowatt power by station . . . will result in a more efficient use of the clear channel frequency assignment of that station;" and "that the public interest, convenience and/or necessity will be served by the granting of the application of . . . for a construction permit to make the changes and modifications in equipment specified in the application."

COURT DISMISSES RCA CASE

The Supreme Court of the District of Columbia this week dismissed the petition of Gerald V. Moore, requesting the Radio Commission to deny licenses to Station WMAL, National Broadcasting Company, a subsidiary of RCA, on the grounds that RCA had been adjudged in violation of the anti-trust laws by a Federal Court. Moore noted an appeal which will go to the Court of Appeals of the District of Columbia.

The case was dismissed following argument held on Tuesday before the Court. The Court also sustained the demurrer of the Radio Commission and discharged the rule to show cause and in addition dismissed the petition of Moore for the writ of mandamus.

GREENSBURG, PA., STATION PERMIT DENIED

The Radio Commission on Friday sustained Examiner George H. Hill, in his Report No. 511 by denying a construction permit for a new station to operate on 1420 kilocycles, 100 watts power, daytime hours, at Greensburg, Pa., asked for by the Greensburg Broadcasting Company.

The Commission found that the operation of the proposed new station "would very likely result in serious interference in the reception of two established stations and also interference in the reception of the new station." It was also found by the Commission that the applicants' showing as to their business, technical and financial ability is not such as to afford reasonable assurance for the success of this project.

MONTEVIDEO PARLEY MAY CONSIDER RADIO

The Pan American Conference at Montevideo will probably take up the question of radio communications, "with a view to their improvement." It has been learned that while radio is not included in the agenda, Secretary of State Hull and the delegates may develop the subject while enroute to Montevideo. Broadcasters do not have representation on the delegation.

1520 KC REQUESTED FOR BROADCASTING

The American-Republican, Inc., of Waterbury, Conn., this week filed an application with the Federal Radio Commission for special experimental authorization to construct a new broadcasting station at Waterbury to use I KW on 1520 kc., unlimited time.

This is the first of such applications to be received by the Commission. Frequencies between 1500 and 1600 kc., heretofore assigned to visual broadcasting, aviation, state police, and other services, have been assigned recently to "general communication service," which presumably leaves the way open to broadcasting allocations within the band. The Commission has, as yet, published no comments concerning its policy concerning use of such frequencies by broadcasters.

HAMILTON, OHIO, STATION DENIAL FAVORED

William L. Slade applied to the Radio Commission for a construction permit for a new station at Hamilton, Ohio, to use 1420 kilocycles while Station WHBD, Mt. Orab, Ohio, asked that its present license on 1370 kilocycles be renewed. In Report No. 522 this week George H. Hill, e., recommended that the application of Slade be denied and that the license of Station WHBD be renewed.

The Examiner found that the financial showing of the applicant "is of uncertain and doubtful nature." He found further that the area proposed to be served by Slade is already served by stations in Cincinnati and other stations located in the State of Ohio, and from clear channel stations located in the central and eastern sections of the United States.

RADIO EMPLOYMENT AGAIN INCREASES

For the third successive month employment in the radio manufacturing plants of the country increased in September, according to the Bureau of Labor Statistics, Department of Labor.

Reports received by the Bureau from 41 radio manufacturers gave their September employment at 31,968, an increase of 23.5 per cent over August and of 96.2 per cent over September of last year. The average weekly payrolls in these plants in September were $545,086, an increase of 23.5 per cent over August and of 62.6 per cent over September of last year.

RADIO EMPLOYMENT FOR OCTOBER

The index number for October employment in the radio industry was 162.4 compared with 133.6 for September and 79.8 for October last year, taking 1926 at 100, according to the Bureau of Labor Statistics.

Employment October index number was 125.2 compared with 91.2 for September and 62.9 for October, 1932.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Protective Committee, 263-271 West 38th Street Building, New York City (2-388).

Bondholders' Protective Committee for Hotel St. George, New York City (2-387).

Commonwealth Bond Corporation Committee, New York City (2-385).

Cory Mine Company, Ltd., San Francisco, Calif. (2-380).

A. Gonnella Bakery Corporation, Chicago, Ill. (2-381).

Hammond, Standish & Company, Detroit, Mich. (2-382).

Holland System Breweries, Inc., Boston, Mass. (2-383).

Montgomery Building, Inc., Spartansburg, S. C. (2-389).

National Beer & Wine Importers, Inc., New York City (2-386).

West Virginia Jockey Club, Wierton, W. Va. (2-384).

Alpha Shares, Inc., Jersey City, N. J. (2-395).

American Coarse Gold Corporation, Los Angeles, Calif. (2-398).

American Eagle Gold Mines, Inc., Boise, Idaho (2-397).

Aztec Silver-Gold Mining Company, Wilmington, Del. (2-391).

Bremner Gold Mining Company, McCarthy, Alaska (2-396).

"Carey Trust," Tulsa, Okla. (2-390).

Froedtert Grain & Malting Company, Inc., Greenfield, Wis. (2-394).

Laclede Power & Light Company, St. Louis, Mo. (2-393).

Mavis Bottling Company of America, New York City (2-399).

C. E. Meriweather, J. M. Wilzon, I. Lowenburg, and A. P. Smith, Jr., New Orleans, La. (2-392).

Cadiz Mining Company, Los Angeles, Calif. (2-404).

Comstock, Ltd., San Francisco, Calif. (2-405).

Green Tree Breweries, Inc., St. Louis, Mo. (2-409).

Hollywood Argyle Corporation, Los Angeles, Calif. (2-403).

K. Taylor Distilling Company, Frankfort, Ky. (2-408).

Protective Committee for Villa Theatre, Collingsdale, Pa. (2-406).

National Associated Dealers, Inc., New York City (2-402).

Osage Mineral Rights Syndicate, Santa Fe, N. M. (2-400).

Penn York Distilleries, Inc., Shrewsbury, Pa. (2-407).

United States Bond & Mortgage Company, New York City (2-401).

MUSIC USERS ORGANIZE TO FIGHT

The fight against the licensing practices of the American Society of Composers, Authors and Publishers went forward on a widened front this week when Oswald F. Schuette called attention of the Department of Justice and the Federal Trade Commission to a resolution adopted by the Music Users' Protective Association of America, a newly formed organization to combat unfair copyright practices.

The text of the resolution adopted at a meeting held in Baltimore, Md., on November 6, is as follows:

WHEREAS, the control of practically all the musical compositions in America has passed from the individual composers to a certain group of individuals who have combined themselves into an organization holding a monopolistic control over practically all musical compositions in the United States, and

WHEREAS, the said group of individuals by virtue of the Copyright Laws of the United States are unregulated as to fees to be charged for the use of said music, and

WHEREAS, by virtue of the said monopolistic control, the said group are now in a position to dictate the terms upon which an industry dependent upon the use of music may continue to exist, which arbitrary power has been continuously exercised to the great detriment of the public, and causing the ranks of the unemployed musician to increase, because of the prohibitive license fees people employing musicians in public places are forced to pay, and

WHEREAS, the said combination of certain groups, unrestricted by law, is gradually extending its sources of revenue, often collecting as many as three separate license fees for the rendering of one musical performance, which by fiction of law has been interpreted as three separate performances under certain circumstances, and

WHEREAS, the said monopolistic combination is ever actively engaged in enacting new laws in their behalf while the American Public has heretofore slept, during such invasion of their rights.

NOW, THEREFORE, BE IT RESOLVED, That the aforementioned grievances together with all data in the possession of, and obtained by, Music Users' Protective Association be forwarded immediately for action thereon to the following authorities: Joseph B. Keenan, Federal Investigator, appointed by United States authorities to investigate commercial racketeering, and the Honorable Simon E. Sobeloff, United States District Attorney for the District of Maryland, for investigation of these practices, as being in restraint of trade and in violation of the Federal Anti-Trust Laws, and to investigate the unauthorized use of the mails to enforce such practices of the aforementioned combination of groups, and that a copy of same be sent to the Federal Trade Commission and to every Senator and Congressman in the United States to act immediately thereon for the protection of the American Public.

DEMANDS INVESTIGATION OF ASCAP

Petitions demanding that Congress investigate the "discriminatory policy" of the American Society of Composers, Authors and Publishers are being circulated by the American Society for the Advancement of Public Music, a civic non-profit organization, of which Charles L. Mullen, Milwaukee, Wis., is general counsel.

Mr. Mullen claims that the "A. S. C. A. P." has abused the copyright law; that the group collects excessive royalties from radio stations, hotels, theaters and dance halls where copyrighted music is played and that the organization completely controls popular music.

HANLEY DEFENDS AMERICAN BROADCASTING

James H. Hanley, in a statement issued this week, concerning the debates in schools and colleges on the subject of radio broadcasting:

"I have received numerous requests from debate masters, teachers and students of literature, on the question of the advisability of the United States Government adopting legislation providing for the regulation and control of radio similar to the system now used in Great Britain," he said.

"Colleges and high schools in twenty-eight states have taken this subject for their debates. It is well they so decided, because impassionate and intelligent debate of vital public questions to develop all the facts—their merits and demerits—before reaching a final determination, is the real backbone of democracy and it affords expression for our people, proud of their independence and free thinking.

"The relative merits of the two systems (American and British) have been discussed sporadically for some time in and out of Congress, but the question will probably come to a head this winter as a result of the enterprise and ingenuity of the National Committee on Radio in Education, representing a group of educators who will appeal to Congress to make a special investigation of radio at home and abroad. It is contended by this Committee that use of radio for education is sorely neglected under the American system and is subordinated to the use of radio for purely commercial purposes. With that general conclusion I am in full accord, although it is my contention that the American system can be changed to meet the demands of the educators without doing violence to its basic principles. It therefore gives me pleasure to make some observations on the relative merits of the two systems.

"First, I want to point out some of the merits and demerits of the American plan, then I will do the same with the British system, and at the outset I want to give you the appraisal of the American system made by Senator C. C. Dill of the State of Washington, co-author of the Radio Act of 1927 and a close student of radio development throughout the world. He said in a book recently published:

> "'Private initiative, private capital, and most of all, American business methods of popularizing and developing radio have placed radio in this country far ahead of that of any other country in the world.
>
> "'A forward looking spirit on the part of most of those engaged in the industry in this country, and a liberal policy by Congress, have brought radio to its present place. Since Marconi's feat of spanning the Atlantic with radio waves most of the great radio inventions, and by far the greatest radio developments, have been produced by American inventors and American business men. Radio as we know it today is truly an American art developed and used in the American way.'

"This is certainly a sweeping defense of our American system, although Senator Dill at times in vigorous terms has pointed out defects in our system of control.

"Under our system, service to the listener is the main consideration. Friendly, but spirited, rivalry exists among stations in their efforts to provide interesting programs for listeners. Efforts are made to satisfy the needs and requirements, the whims and fancies, of the various communities and to provide valuable information and high-grade entertainment, thus giving opportunity for expression to every reputable and substantial class or group.

"Our plan tends toward national unity, promotes musical culture and appreciation, banishes provincialism and sectionalism, prevents disintegration of our people into classes, and brings to our people, even in remote sections, the inspiration of religion and other messages of men and women of outstanding arhievements and mentality. Our people are cemented by common sources of entertainment, economic interests, ideals, problems and dangers, all of which were in the minds of the members of Congress when they, after long and serious debate, adopted the Federal Radio Act of 1927. That law is the product of an enlightened, alert public opinion. Under it private intitiative, private capital, and most of all American business methods of popularizing and developing radio are provided for. It gives to the licensees of radio stations no vested right in the air but preserves that heritage for the benefit of all of the people, to be used in the public interest for the public's convenience, and to meet public necessities, all of which, under our plan, is to be supervised, administered and controlled by the people through the Federal Radio Commission as the agency set up by Congress to represent the people—the listeners. The law has been sustained as constitutional by the Supreme Court of the United States and all other courts having occasion to pass upon its terms and conditions.

"Nation-wide communication by radio is proving to be a valuable asset to the government at this critical time, keeping the people fully and accurately informed concerning economic readjustments being made to restore prosperity. Our dynamic President takes advantage of radio now and then to talk to the 'whole family,' giving our people new hope and inspiration by clarifying many complex questions, as, for example, his thirteen-minute speech regarding the banking situation delivered soon after his inauguration. There the President banished fear from our people regarding their banking institutions and instilled new faith, confidence and respect for our State and Federal governments. Since then he has frequently spoken on other issues with equal effect. The President can, and does, reach in each of his speeches practically the whole nation of over 124,000,000 people with the result that the people have buckled down to hard work with the feeling of confidence that everything will come out all right under the "New Deal." Thus, the citizenry generally are kept better informed than former generations were concerning the functions of our national government and the manifold and complex problems confronting it.

"The Press, about six weeks ago, carried the following item:

> "'If you have any comments or kicks about radio programs send them along to the Federal Radio Commission. That invitation was extended today by Commissioner James H. Hanley, newest member of the Commission who took office just six months ago. He wants to get listener reaction and "let the people rule radio" by expressing their likes and dislikes.
>
> "'"I don't think the people as a whole take enough interest in programs." He said, "I think they should communicate with stations and with the Commission. I would favor a questionnaire at regular intervals to leading citizens, public officials, school teachers, educational societies, clubs and other representative groups to obtain views and information which I am certain would prove most helpful to the Commission."'

"Although this notice appeared in practically all of the large daily and weekly papers throughout the country, less than a hundred responses came to the Commission or to myself. Those were from all sections of the country, and less than fifteen had any serious criticism of our system, and the conclusion can well be drawn that the people, generally, throughout the United States are pretty well satisfied with radio reception.

"When the regulation of radio was before our Congress the question of government ownership and control was thoroughly considered. After much deliberation the Congress decided that it would require vast sums to operate a radio system, which would mean an extra tax on our people. Vigorous protests against such a plan by listeners swamped Senators and Representatives.

"Under the British system a tax of approximately $2.50 per year is placed on all receiving sets. At present there are in use 17,000,000 sets in this country, which if taxed at the same rate would mean the listeners would be forced to pay annually $42,500,000.00 for use of their radio sets. Now the only expense to the listener is the cost of the set, its installation and upkeep.

"Theoretically the British Postmaster General is the director of British radio. He licenses the British Broadcasting Corporation, giving it a monopoly of all British broadcasting. The charter provides that the Postmaster General may by notice require the British Broadcasting Corporation to refrain from transmitting any broadcast matter specified, also the charter declares explicitly that the corporation shall transmit any matter which any department of the government may require to be broadcast.

"According to William Hard, the noted American journalist and radio commentator, Sir John Reith, Director General of the British Broadcasting Corporation, is the absolute autocrat of the whole British radio system. Mr. Hard says:

> "'Sir John wields substantially the centralized omnipotent benevolent radio power, that some progressives among us think ought to be wielded. He should, of course, in accordance with that thought, be a progressive. He is in fact a true blue, conscientious, conservative.
>
> "'Sir John has openly denounced the demagogic heresy that in radio the public should be given what it wants. He gives it overwhelmingly, what Sir John himself thinks personally, that it ought to have. He thinks that it ought to have a great many elevating talks. One is impressed by the multitudinousness and magnitudinousness of these talks.'

"Governmental broadcasting since it is supported by the state, in Great Britain, according to Mr. Hard, must be careful not to offend the state and must therefore, while it escapes 'commercialization,' embrace 'governmental responsibility, and a censorship far beyond any control known among us.'

"Which recalls that recently the press carried reports to the effect that Lloyd George and Winston Churchill were denied the right to use the facilities of the British Broadcasting Corporation, because Sir John declared they no longer represented important political parties.

"No such discrimination could be practiced here. Minorities are usually accorded the same privileges as majorities and anyone with a worth-while message is accommodated as a rule by our broadcasting stations.

"Evidently speakers who are disposed to take issue with policies advocated by the government are barred from using the British system. Here we have free and full discussion of all public questions—the opposition being quite as vocal as the proponents.

"Here the 600 licensees are individually responsible for the kind of programs broadcast. Instead of one radio czar as in England, we have more than 600 here, with the Federal Radio Commission sitting as a quasi-judicial body to see that the programs rendered are in the public interest.

"The British system cost the taxpayers approximately $7,000,000.00 to support, obtained through the tax on the 4,470,000 sets in operation.

"There are long periods through the day when no programs are on the air. Here one can obtain radio service day or night to gratify his peculiar whim, fancy or inclination at the time.

"It is our diversity of programs which is one of the chief virtues of the American system, appealing as they do to all elements of our population.

"In a recent report to the U. S. Senate, the Federal Radio Commission outlined several possible plans whereby our broadcasting system could be operated under government control. One plan calls for a system whereby 1000 low-powered stations would be established in the 48 states to take care of the varying areas, population and interests. That plan it is estimated would require an initial cost for installation of $120,000,000.00 with annual maintenance cost of $100,000,000.00.

"Another plan would be to provide one or more stations for each state to give programs of interest to the states, and several high-powered stations for national coverage.

"This plan, it is estimated, would require an initial investment of $50,000,000.00 with an annual maintenance cost of the same amount.

"So it would seem that the best and most economical thing for us to do would be to strengthen the radio structures we have erected through years of toil and experience, eliminating offensive features and strengthening weak spots."

PETTEY, SOUTH CAROLINA COLONEL

Governor I. C. Blackwood of South Carolina appointed Herbert L. Pettey, secretary of the Federal Radio Commission, as a colonel on his staff.

SPECIAL RMA TELEVISION COMMITTEE APPOINTED

A special RMA engineering committee to confer with the Federal Radio Commission on future broadcast facilities for television facsimile and other special services was appointed November 8 at Chicago by the RMA Board of Directors. Walter E. Holland of Philadelphia, former Director of Engineering of the RMA, is chairman of the special committee. Other members are J. A. Chambers of Cincinnati, chairman of the engineering committee for the National Association of Broadcasters; Ray H. Manson of Rochester, N. Y., former Engineering Director of the RMA; and Dr. W. R. G. Baker of Camden, N. J.

The special committee of engineers will confer with Dr. C. B. Jolliffe, Chief Engineer, and other experts of the Federal Radio Commission, regarding the future broadcast frequencies to be assigned in developing visual broadcasting. The engineers committee was chosen on recommendation of the special RMA committee of executives, headed by Mr. E. T. Cunningham of New York, and including Mr. Powel Crosley of Cincinnati, Mr. W. Roy McCanne of Rochester, and Mr. James M. Skinner of Philadelphia. The matter of frequency assignments and other special services is regarded as a special problem for engineers in its present status.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, November 20, 1933

WMBG—Havens & Martin, Inc., Richmond, Va.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time, except Sundays (facilities of WPHR). Present assignment, **1210 kc.**, 100 watts, unlimited time, except Sundays.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license, **1200 kc.**, 100 watts, 250 watts, LS, unlimited time.

Wednesday, November 22, 1933

Hearings Before Commission en banc

WHAS—The Courier-Journal Co. and The Louisville Times Co., Louisville, Ky.—C. P., **820 kc.**, 50 KW, unlimited time. Present assignment, **820 kc.**, 25 KW, unlimited time.

KNX—Western Broadcast Co., Los Angeles, Calif.—Modification of license, **1050 kc.**, 50 KW, unlimited time. Present assignment, **1050 kc.**, 25 KW, unlimited time.

WBT—Station WBT, Inc., Charlotte, N. C.—Modification of license, **1080 kc.**, 50 KW, unlimited time. Present assignment, **1080 kc.**, 25 KW, unlimited time.

APPLICATIONS GRANTED

KFPM—Dave Ablowich, d/b as The New Furniture Co., Greenville, Tex.—Granted unlimited time privileges on days the Greenville High School football team plays; to December 1, 1933.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Granted special temporary authorization to operate from 1 to 3 p. m., EST, on Thursday, November 30, provided WOSU remains silent.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authorization to operate from 5:15 to 3:30 p. m., EST, on Sundays during remainder of the months of November and December, provided WSMK remains silent.

WSMK—Stanley M. Krohn, Jr., Dayton, Ohio—Granted special temporary authorization to operate from 7:15 to 7:30 p. m., EST, on Sundays during the remainder of month of November and the month of December, provided Station KQV remains silent.

WJBW—Chas. C. Carlson, New Orleans, La.—Granted license covering move of transmitter and studio locally; **1200 kc.**, 100 watts, shares equally with WBBX.

WFIW—WFIW, Inc., Louisville, Ky.—Granted modification of C. P. approving exact location of transmitter at 4th and Broadway, Brown Hotel, Louisville; studio at same location.

WBBX—Samuel D. Reeks, New Orleans, La.—Granted extension of special authority to remain silent from November 15 to December 1, 1933.

WMBH—W. M. Robertson, Joplin, Mo.—Granted modification of special temporary authority to operate from 2:30 to 6 p. m., CST, on November 17 and 30, 1933, instead of from 3 to 6 p. m., as authorized on September 29th, due to change in football schedule.

WSVS—Elmer S. Pierce, Principal, Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authorization to operate from 8:15 to 9:30 p. m., EST, on Monday evenings on November 20 and 27; December 4, 11 and 18, 1933.

SET FOR HEARING

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—C. P. to change frequency from **1210 kc.** to **1330 kc.**, increase power from 100 watts to 1 KW, install new equipment, and move transmitter locally.

APPLICATIONS DENIED

WJJD—WJJD, Inc., Mooseheart, Ill.—Denied request for special temporary authorization to operate each evening until 8:30 p. m., in accordance with consent of KSL, the dominant station on that frequency.

WJBW—Charles C. Carlson, New Orleans, La.—Denied authority to operate unlimited time on frequency of **1200 kc.** pending decision on application requesting unlimited time.

MISCELLANEOUS

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Application for consent to voluntary assignment of license to International Broadcasting Corp. designated for hearing because of protest filed November 6, 1933, by Ark-La-Tex Radio Corp., Shreveport. Pending hearing the International Broadcasting Corp. is permitted to continue the operation of Station KWEA in accordance with original grant made October 31, 1933, pursuant to Rule 46.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Denied petition to consolidate hearing on protest of KECA against granting of application of KFAC for increased hours of operation scheduled for hearing December 5, 1933, and application of Earle C. Anthony, Inc., for increase in daytime power from 1,000 watts to 2,500 watts.

The Commission, sitting en banc, will hear oral arguments on December 13, 1933, beginning at 10 a. m., in re Examiner's Report No. 512, in which the Examiner recommended that Don Lee Broadcasting System be permitted to erect a new radio broadcasting station at Redlands, Calif., to operate on **780 kc.,** 500 watts, unlimited time, the facilities in terms of units of stations KTM and KELW.

Attorneys for interested parties will be granted 30 minutes each for argument.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power to 1 KW.

WNAX—House of Gurney, Inc., Yankton, S. Dak.—Modification of license to use old transmitter as main transmitter at night.

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Modification of license to increase power to 1 KW (facilities of WRUF).

The following application, heretofore set for hearing, was denied because of applicants' failure to enter their appearance within the time allowed:

WPFB—W. E., F. E., and P. L. Barclift, Hattiesburg Broadcasting Co., Hattiesburg, Miss.—C. P. to move to Tuscaloosa, Ala.

CALL LETTERS CHANGED DURING WEEK OF NOVEMBER 6

WAVE—WFIW, Inc., Hopkinsville, Ky.—Call letters WFIW changed to WAVE.

APPLICATIONS RECEIVED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Renewal of special experimental authorization to synchronize with WJZ on **760 kc.** when WTIC is operating on **1060 kc.** using 2½ KW.

NEW—American-Republican, Inc., Waterbury, Conn.—Special experimental authorization to construct a new station to use **1520 kc.,** 1 KW power, unlimited time.

WOL—American Broadcasting Co., Washington, D. C.—License to cover construction permit granted 8-22-33 for changes in equipment. Resubmitted corrections made.

Second Zone

NEW—Western Pennsylvania Broadcasting Co., Greensburg, Pa.—Construction permit for new station, exact location to be determined, **620 kc.,** 250 watts, daytime.

NEW—Walter B. Stiles, Inc., Muskegon, Mich.—Construction permit for new station to use **1310 kc.,** 100 watts, unlimited time.

WSAJ—Grove City College, Grove City, Pa.—Modification of license to reduce specified hours of operation to omit 5 to 6 p. m. one day each week.

WRAW—Reading Broadcasting Co., Reading, Pa.—Modification of license to change hours from share WGAL to unlimited time (if and when application of WGAL to vacate **1310 kc.** frequency is granted).

WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of license to increase operating power of auxiliary transmitter from 100 watts to 500 watts.

Third Zone

WNRA—Kathryn Jones, Muscle Shoals City, Ala.—License to cover construction permit granted 6-2-33 and modification for new station to use **1420 kc.,** 100 watts, daytime.

NEW—William F. Chaplin, Pine Bluff, Ark.—Construction permit for new station, exact location to be determined, to use **1500 kc.,** 100 watts, daytime.

Fourth Zone

WCBS—WCBS, Inc., Springfield, Ill.—Construction permit to move transmitter locally.

KGBZ—Dr. George R. Miller, York, Nebr.—Special experimental authorization to use 1 KW power between 5 a. m. and 6 a. m. daily, except Sundays, from 11-15-33 to 3-31-34.

WKBB—Sanders Brothers Radio Station, East Dubuque, Ill.—License to cover construction permit granted 10-21-32 (move station from Joliet, Ill., change frequency and hours to **1500 kc.,** specified hours).

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Modification of license for authority to use formerly licensed WE 1 KW transmitter as auxiliary transmitter.

Fifth Zone

NEW—The Wyoming Broadcasting Co. (R. E. Carroll, Owner), Sheridan, Wyo.—Construction permit for new station to use **1370 kc.,** 100 watts, specified hours. Amended to change name of applicant to Big Horn Broadcasting Co., change equipment, and to request unlimited hours.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Construction permit to change transmitter site locally, new equipment, and increase power from 1 KW to 1 KW night, 2½ KW to local sunset. Resubmitted corrections made and requesting facilities KXA, Seattle, Wash.

KFKA—The Mid-Western Radio Corp., Greeley, Colo.—Construction permit to move transmitter and studio to Cheyenne, Wyo., change frequency, power, and hours from **880 kc.,** 500 watts night, 1 KW to local sunset, share KPOF, to **780 kc.,** 1 KW, unlimited time.

APPLICATIONS RETURNED

NEW—J. S. Groves, Dallas, Tex.—Construction permit for new station to use **940 kc.,** 250 watts, unlimited time. (Request of applicant.)

NEW—James Williams, Brookhaven, Miss.—Construction permit for new station to use **1400 kc.,** 2½ watts, limited time and daytime. (Rules 6, 120, hours, transmitter site, and jurat.)

NEW—James A. and R. W. Britton, Juneau, Alaska—Construction permit for new station to use **1210 kc.,** 100 watts, day. (No reply to letters.)

KFKA—The Mid-Western Radio Corp.—Greeley, Colo.—Construction permit to move outside city limits of Greeley. (No reply to letters.)

WSMB—WSMB, Inc., New Orleans, La.—License to cover construction permit granted 10-20-33. (Discrepancies in transmitter location.)

NEW—J. H. Squires, A. E. Cullum, Jr., Dallas, Tex.—Construction permit for new station to use **1200 kc.,** 100 watts, daytime, facilities KGKL, San Angelo, Tex. (Rules 5 and 49.)

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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AWAITING APPROVAL OF RADIO CODE

As this issue of NAB Reports goes to press President Roosevelt has before him for signature at Warm Springs, Ga., the code of fair competition for the broadcasting industry. A special bulletin has been prepared and will be mailed just as soon as word of approval is received.

DEBATE HANDBOOK SOON READY

"Broadcasting in the United States," a 200-page book presenting arguments in support of the system of broadcasting in the United States, will be available for distribution within a week.

The book is being published by the NAB in order to meet thousands of requests from debaters and debate coaches for material for use in connection with the debate on the question of whether the United States should adopt the British system of operation and control of broadcast facilities. The debate question was decided upon by the National University Extension Association, and many thousands of debates will be held during the winter months. Demands for material in support of the affirmative side soon depleted the NAB supply and the book now on the press is being published to meet new requests. The book will be distributed free to debaters and debate coaches upon request.

CODE ADMINISTRATION EXPLAINED

General Johnson, in a statement made this week with regard to Code Administration, said:

"After a code has been approved, there remains the problem of Code Administration. The responsibility to see that codes are administered and the public protected lies with the Administrator, but the aim of the NRA is to give to the Code Authorities the widest possible range of self-government subject to the ultimate responsibility of the Administrator."

Practically all codes, he said, "provide that the Code Authority thereof is to administer the code," and "it is the duty of the Deputy Administrator for that code to see that:

a. Administrative provisions appropriate to the particular industry are included in each code.
b. That the Code Authority is organized in such a way that it may promptly and efficiently administer the code.
c. That the Code Authority does efficiently administer the code.
d. That the Government moves promptly to administer the code where the Code Authority is unable to administer the code, or is abusing its authority."

General Johnson said "there are two aspects to Code Administration: one, Planning and Progress, and two, Compliance. It is fundamental," he declared, "within both the letter and intent of NIRA, that as much as is possible and appropriate of both aspects of Code Administration be effected by industry itself. This should be done through its Code Authority. A trade association may be, or may select, or may be used by a Code Authority, as provided in the code. It is the policy of NRA to build up and strengthen trade associations throughout all commerce and industry.

"It is equally fundamental, within both the letter and intent of NIRA, that the ultimate responsibility for efficient Code Administration lies with NRA. NRA will supervise Code Administration by Code Authorities. In addition it will directly administer the code itself, where an industry is unable to administer it, fails to administer it, or where there are certain functions of Code Administration which by their nature Government should perform directly.

"In an industry sufficiently organized to have agreed upon a code of fair competition, there usually will be no need for Government administration in the 'Planning and Progress' field. These functions industry is already performing for itself.

"But the field of administration for Compliance is an entirely new one. No industries were organized with this function in view. Until an authorized Code Authority is actually set up and functioning within an industry, NRA will have to perform such functions, but it is the policy to pass them on to Code Authorities as rapidly as they qualify to receive them."

In order to assist and advise both Deputy Administrators and existing Code Authorities on organization and procedure for compliance, a special Code Authority Organization Committee has been appointed in NRA. General Johnson has announced the appointment of Colonel Robert W. Lea, Assistant Administrator, as chairman of this new committee.

COPELAND BILL HEARINGS DECEMBER 7

Hearings on the Copeland Bill, proposing a revision of the Food and Drugs Act, are scheduled to begin on December 7 before the Senate Committee. Some 250 applications for opportunity to be heard have already been received. The bill is being sponsored by the Department of Agriculture and was drafted in large part by Assistant Secretary of Agriculture Tugwell.

The position of the NAB with respect to the measure is set forth in a resolution unanimously adopted at the White Sulphur Springs convention and which reads as follows:

"RESOLVED, That while the National Association of Broadcasters is eager to cooperate in protecting the public against exploitation through untruth or unscrupulous advertising, it believes that any legislation for this purpose must be reasonable and precise in definition, uniform in administration, and fair in application, and therefore this Association must record itself as definitely opposed to the enactment, unless on the basis of many and far-reaching changes therein, of the bills to re-write the Pure Food and Drug Law now pending in both Houses of the Federal Congress."

C. C. I. R. MEETINGS TO BEGIN SOON

Preparation for the third meeting of the C. C. I. R. (International Technical Consulting Committee on Radio Communications) at Lisbon in September, 1934, will probably begin shortly after the first of the year. The Federal Radio Commission will act as the coordinating agency in determining the United States policies, securing information from various interested agencies. The National Association of Broadcasters will assist in compiling data on problems concerning the broadcasting industry.

A number of subjects of much importance to the broadcasting industry will receive attention at the forthcoming meetings. Among them are studies of wave propagation curves, single-side band transmission, anti-fading antennas, directional antennas, frequency separation of broadcasting channels, synchronization of broadcasting transmitters, frequency allocations to various radio services, and methods of measurement of field intensities and noise.

The C. C. I. R. acts in an advisory capacity to the international radio conferences which are held at five-year intervals. The next conference will be held at Cairo in 1937.

STATION DEPRECIATION RATES STUDIED

E. M. Elkin, KDKA, Pittsburgh, Pa., chairman of the NAB Tax Committee, and Managing Director Loucks this week conferred with officials of the Internal Revenue Bureau, upon invitation of the latter, on the subject of depreciation rates of broadcasting station equipment for income-tax purposes. It was decided that the Bureau would address a communication to the NAB requesting its cooperation in supplying factual information upon which the Bureau will promulgate an official bulletin setting forth the rates of depreciation which will be allowed for income-tax purposes. Upon receipt of the communication the NAB will call a meeting of all interested parties for the purpose of formulating a report to the Bureau.

REMAILING OF "AUDIENCE" OR "FAN MAIL"

During the past several weeks the NAB has received many inquiries with respect to the remailing of audience or fan mail. For this reason there is reproduced in this bulletin the announcement made on June 21, 1933, by Third Assistant Postmaster General Eilenberger following a series of conferences with the NAB:

"'Audience' or 'fan' mail, prepaid at the first-class rate of postage when originally sent to broadcasting stations may thereafter, if it has not been opened, be remailed to other points in bulk at the third- or fourth-class rate of postage, according to the weight of the packages, whether remailed to the headquarters or other stations of the radio-broadcasting systems, or to advertising agencies, or the sponsors or advertisers, irrespective of whether the letters are to be opened finally by the persons or concerns to whom they are so remailed in bulk.

"The same applies to letters prepaid at the first-class rate originally sent to feature writers in care of newspapers and remailed unopened in bulk by the latter to the addressees or their agents.

"If the letters should be opened and then offered for remailing in bulk they would be subject to postage at the first-class rate.

"It appears that some postmasters are accepting for remailing or forwarding, without requiring any additional postage, letters addressed to feature writers in care of the newspapers carrying their articles, when presented with the correct address of the feature writer endorsed on the individual letters. As such letters are addressed in care of the newspapers at the instance of the feature writers or the newspapers themselves, and there is no actual change of address of the addressee, the letters may not be remailed or forwarded without additional charge but are subject to postage anew at the first-class rate unless put up in bulk packages and mailed at the third- or fourth-class rate under the conditions set forth above.

KFAB CASE BEFORE THE SUPREME COURT

The Supreme Court of the United States has been asked to review the decision of the Supreme Court of Nebraska holding that a radio station is liable for defamatory remarks uttered in a political speech delivered over the station. The decision of the Nebraska court was rendered in the case brought by C. A. Sorensen against the KFAB Broadcasting Company, Lincoln, Nebr. It involves the construction of Section 18 of the Radio Act of 1927.

Following the decision of the Nebraska court, the NAB, through arrangement with the Lincoln station, retained counsel to secure a Supreme Court review of the important question involved in the case. It is expected that the Supreme Court will rule upon the petition for review within the next few weeks.

BUSINESS INDEX REPORTS LAGGING

The NAB Business Index, established last June, has won wide commendation from advertisers, advertising agencies, publications, stations, and governmental agencies.

Words of praise for this new NAB feature were added recently by Senator C. C. Dill of Washington, chairman of the Senate Interstate Commerce Committee, and by Paul West, managing director, Association of National Advertisers.

The compilation and analysis of the data supplied by stations requested to cooperate represents considerable time and expense at NAB headquarters. A small number of stations have been negligent in sending in returns for the month of October. This has made the work doubly difficult. If this important service is to be continued, stations must respond more promptly to the requests for information. It is planned to increase the number of reporting stations after the first of the new year.

SECTION PROCEEDINGS NOS. 31 AND 32

Many members of the NAB have been writing to headquarters requesting copies of No. 31 and No. 32 of the NAB REPORTS, which they state are missing from their files. For the information of all members attention is called to the fact that the proceedings of the Commercial Section (Grand Rapids, Mich., June 27, 1933) were printed as No. 31 of the NAB REPORTS; and the proceedings of the Engineering Section (Chicago, June 26, 1933) were printed as No. 32 of the NAB REPORTS. These proceedings, it will be noticed, are punched to fit the binders and are paged in proper sequence. However, they do not bear the numbers 31 and 32 due to the fact that they were printed separately. They were mailed to all members slightly in advance of the regular order. It is suggested that those who keep a file of the NAB REPORTS write in No. 31 on the Commercial Proceedings and No. 32 on the Engineering Proceedings, and insert them in the proper place in the binders.

COMMISSION ADOPTS EMERGENCY REGULATIONS

As the outcome of a resolution submitted by Commissioner Harold A. Lafount on September 15, 1933, the Federal Radio Commission today adopted a recommendation made by the Engineering Division to expedite radio communication during catastrophies brought on by winds, floods, earthquakes, fires, etc.

The plan, as approved by the Commission, provides that local emergency committees be encouraged to organize and coordinate all forms of existing communication agencies to provide emergency communication and make full use of the provision of new Rule 23. That rule provides:

"The licensee of any radio transmitting station may, during a period of emergency in which the normal communication facilities are disrupted as a result of hurricane, flood, earthquake, or similar disaster, utilize such station for emergency communication service in communicating with points other than those specified in the station license, provided (1) that at the beginning of such emergency use immediate notice be sent to the Federal Radio Commission and the inspector in charge of the district in which the station is located, stating the nature of the emergency and the use to which the station is being put; and (2) that the emergency use of the station shall be discontinued as soon as substantially normal communication facilities are again available, and the Commission and inspector in charge be notified immediately when such special use of the station is terminated. The Commission may at any time order the discontinuance of such service."

Where it is shown that a local emergency communication network is needed, the agency desiring to operate the network may request facilities in accordance with Rules 325 and 339 to 342, inclusive.

Rule 340 was amended to read as follows:

"Special emergency stations may be used only in an emergency when all forms of wire communication fail; except, however, they may also be used for testing purposes not to exceed two hours per week provided that, before the station is used for testing, it shall be ascertained that the frequency is clear and that no interference will result to other services."

Rule 341, which sets aside frequency 3190 kilocycles for use by special emergency stations, was amended to read as follows:

"The following frequencies are allocated for use by special emergency stations, and may be used only with the type of emission indicated:

2724 kc. 2726 kc. 2728 kc.	Type A-3 emission only
3190 kc.	Type A-1 emission only."

Rule 343 was deleted. It provided that emissions from special emergency stations shall be Type A-1 only.

Action by the Commission followed a conference of Government communication agencies, and other interested organizations, during which the matter was fully discussed and a divergence of opinion was crystallized, although the conference made no recommendations.

The conference was called by Dr. C. B. Jolliffe, Chief Engineer of the Federal Radio Commission. Attending the conference were representatives of the War and Navy Departments, American Red Cross, Aeronautical Radio Inc., National Association of Broadcasters, Treasury Department, Mackay Radio & Telegraph Company, American Telephone and Telegraph Company, RCA Communications, Inc., Airways Division, Department of Commerce, American Radio Relay League, and the U. S. Coast Guard.

WNBW DENIED RENEWAL LICENSE

Examiner George H. Hill was sustained by the Radio Commission this week in his Report No. 503 in which he recommended that the renewal of the license of broadcasting Station WNBW, Carbondale, Pa., be denied and also recommended the denial of the application of G. F. Schiessler and M. E. Stephens, doing business as the Home Cut Glass & China Company, for involuntary assignment of the station's license. The Commission found that the applicants in both cases involved failed to show qualifications or ability "affording any promise or assurance for the reestablishment and operation of Station WNBW in such manner as to serve the public interest."

F. R. C. DENIES WBCM POWER INCREASE

The Radio Commission on Friday upheld Examiner Ralph L. Walker in his Report No. 514 by denying the application of Station WBCM, Bay City, Mich., power increase from 500 to 1,000 watts. It was found by the Commission that the proposed power increase would result in objectionable interference with other stations, and that there is no real need for the operation of the station with 1,000 watts even temporarily to study conditions because interference would result.

EXAMINER AGAINST KOIN POWER BOOST

Application was made to the Federal Radio Commission by Station KOIN, Portland, Ore., asking that its daytime operating power be increased from 1,000 to 2,500 watts. In Report No. 523 this week Ralph L. Walker (e), recommends that the application be denied.

The Examiner points out in his report that while the increase could be made without any objectionable interference with any existing station, both the State of Oregon and the Fifth Zone, in which the station is located, are over quota.

He further states that the city of Portland, with less than one-third of the total population of the State, is now assigned eight-tenths of the State's broadcasting facilities and "it would appear, therefore, that if additional facilities are to be assigned the State of Oregon, they should not be placed in Portland."

SUIT OVER KGIZ TRANSFER

Craig Siegfried and Max A. Kramer this week filed suit for an injunction against the Federal Radio Commission in the Supreme Court of the District of Columbia. It appears from the record that Station KGIZ, Grant City, Mo., applied to the Commission for voluntary assignment of its license to KGBX, Inc., Springfield, Mo., which was granted by the Commission. The applicants for the injunction protested the grant and the Commission set the case for argument before an Examiner, who recommended that the original action of the Commission be approved. The applicants are now trying to enjoin the Commission from deciding the case in accordance with the recommendations of the Examiner.

OPPOSES NEW CHEYENNE STATION

The Wyoming Broadcasting Company made application to the Federal Radio Commission for a construction permit for the erection of a new station at Cheyenne, Wyo., to use 780 kilocycles, full time, and 500 watts night and 1,000 watts daytime. In Report No. 524 this week George H. Hill (e), recommended that the application be denied. It was found by the Examiner that the legal and financial qualifications of the applicant are unsatisfactory. He found also that Cheyenne now receives fair radio service and that the granting of the application would possibly cause interference with existing stations.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Appleton Building Company, Milwaukee, Wis. (2-418)
Brown-Forman Distillery Company, Louisville, Ky. (2-419)
Burda Holding Corporation, New York City. (2-410)
Dorval-Siscoe Gold Mines, Ltd., Toronto, Canada. (2-411)
Dorval-Siscoe Gold Syndicate, Ltd., Toronto, Canada. (2-413)
Gold Producers, Inc., Salt Lake City, Utah. (2-416)
Mathieson Auto Boat Corporation, Highland Park, Mich. (2-414)
Peterson Lumber Corporation, Pineville, Ky. (2-417)
Reclamation District No. 1600, San Francisco, Calif. (2-415)
Ste. Pierre Smirnoff Fils., Inc., New York City. (2-412)
Brewery Development & Management Company, Boston, Mass. (2-423)
Conar Gold & Silver Mining Company, San Francisco, Calif. (2-421)
Eagle Mountain Mining Company, Goldfield, Nev. (2-429)
Equity Fund, Inc., Seattle, Wash. (2-426)
Greenebaum Sons Investment Co. and Percy Cowan, Chicago, Ill. (2-425)
Gulf Beach Hotel, Inc., Panama City, Fla. (2-428)
Metals Equities, Inc., Jersey City, N. J. (2-427)
National Multiweaving Company, Washington, D. C. (2-420)
Rahn Brewing Company, Inc., Tamaque, Pa. (2-422)
Wyoming Petroleum Corporation, Las Vegas, Nev. (2-424)
Alaska Pacific Salmon Company, Seattle, Wash. (2-435)
Buffalo Mount Vernon Development Company, Buffalo, N. Y. (2-434)
Commonwealth Bond Corporation Committee, New York City. (2-440)
Corporate Securities Fund, Inc., Jersey City, N. J. (2-445)
Estate Managers General Fund, Inc., Jersey City, N. J. (2-431)
Hammond, Standish & Company, Detroit, Mich. (2-430)
Hammond Distilleries, Inc., Hammond, Ind. (2-436)
Insurance Exchange Building Company, San Francisco, Calif. (2-444)
Kilmar Realty Company, Milwaukee, Wis. (2-438)
Kilmar Realty Company, Milwaukee, Wis. (2-439)
Pacific Empire Corporation, San Francisco, Calif. (2-442)
Rozwick Corporation, Miami, Fla. (2-443)
Unity Gold Corporation, St. Paul, Minn. (2-441)
Venezuela Speculations, Inc., New York City. (2-432)
Yuma Gold Fields, Inc., New York City. (2-433)
Zeloid Products Corporation, Holyoke, Mass. (2-437)

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Monday, November 27, 1933

NEW—Thomas R. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—C. P., **740 kc.**, 250 watts, daytime.

Wednesday, November 29, 1933

Oral Argument Before Commission en banc

NEW—Juan Piza, San Juan, P. R.—C. P., **1290 kc.**, 500 watts, unlimited time.

APPLICATIONS GRANTED

KBTM—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Granted C. P. to move transmitter to near Jonesboro, Ark., and studio to Jonesboro; also granted authority to install automatic frequency control at new location.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted license covering increase in power from 5 KW to 25 KW, installing new equipment, changing hours from sharing equally with WAPI to simultaneous day and sharing night with WAPI; **1140 kc.**

WSAI—The Crosley Radio Corp., Cincinnati, Ohio—Granted extension of special authorization for 90 days to use 1 KW night, 2½ KW day, using directional antenna experimentally.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted extension to March 1, 1934, of special experimental authorization to operate on **1280 kc.** with 500 watts, unlimited. (Normally licensed **1200 kc.**, 100 watts, unlimited.)

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to remain silent on Thanksgiving Day, November 30, to give employees a holiday.

WMBH—W. M. Robertson, Joplin, Mo.—Granted modification of special temporary authorization to operate from 3 to 6 p. m., CST, on November 23, instead of same hours on November 24, as granted on October 10. Also granted temporary authority to operate from 9:30 to 10:30 p. m., CST, on December 8, 1933, and to operate from 2:30 to 3:30 p. m., CST, on December 3, 10, 17, 24, and 31, 1933.

WGCM—Grace Jones Stewart, d/b Great Southern Land Co., Mississippi City, Miss.—Granted special temporary authorization to operate from 2 to 4:30 p. m., CST, on November 30, 1933, and from 9:30 to 9:45 a. m., CST, on December 31, 1933.

WSOC—WSOC, Inc., Charlotte, N. C.—Granted license covering move of station from Gastonia to Charlotte, N. C., and making changes in equipment; **1210 kc.**, 100 watts, unlimited.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted modification of license extending commencement date to January 16, 1934, and completion date to June 16, 1934.

WSB—The Atlanta Journal Co., Atlanta, Ga.—Granted license for authority to use former main transmitter at its present location as an auxiliary; maximum rated power 5 KW.

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Granted C. P. to move station from Iroquois Hotel to Altamont Hotel, Tupper Lake.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authorization to operate from 9 p. m. to midnight, CST, on November 28, 1933.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authorization to operate from 10 p. m. to 1 a. m., CST, December 8, 1933.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to operate from 10:30 to 11:30 a. m. and from 5 to 5:30 p. m., Thursday, November 30.

WNBO—John Brownlee Spriggs, Silver Haven, Pa.—Granted renewal of license on temporary basis and designated application for hearing.

WCLS—WCLS, Inc., Joliet, Ill.—Granted modification of license to change specified hours to as follows: Monday, Tuesday, Wednesday, and Thursday, 9:30 a. m. to 1 p. m., 5 to 8 p. m.; Friday, 9:30 a. m. to 1 p. m., 5 to 10:30 p. m.; Saturday, 9:30 a. m. to 2 p. m., 5 to 8:30 p. m.; Sunday, 9 a. m. to 2 p. m., 5 to 8:30 p. m.

APPLICATION RECONSIDERED

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Reconsidered action of August 29, 1933, designating application for renewal of license for hearing; withdrew application from hearing docket and granted same and authorized issuance of regular license, expiring March 1, 1934. Application set for hearing because State Investment Co., of Chicago, applied for facilities of WIND. State Investment Co. defaulted application on November 10, 1933, having failed to file an appearance.

MISCELLANEOUS

NEW—Vegas Broadcasting Co., Las Vegas, Nev.—C. P. for new station, **1420 kc.**, 100 watts, daytime (facilities of KGIX). Application heretofore set for hearing was denied because applicants failed to enter appearance.

KGIX—Vegas Broadcasting Co., Las Vegas, Nev.—Application for involuntary assignment of license heretofore set for hearing was denied because applicants failed to enter appearance.

WCBS—WCBS, Inc., Springfield, Ill.—Granted C. P. to move transmitter locally in Springfield.

SET FOR HEARING

NEW—Fred W. Christian, Jr., and Raleigh W. Whiston, "Christian & Whiston, Norco, Calif.—C. P. for new station, **1280 kc.**, 500 watts, unlimited time.

NEW—Voice of Southwestern Pennsylvania, Inc., Silver Haven, Pa.—C. P. for new station, **800 kc.**, 1 KW, limited hours of operation—sunset, Dallas (facilities of WNBO).

APPLICATIONS RECEIVED

First Zone

WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Construction permit to move transmitter and studio from Iroquois Hotel, 126 Park St., to 41-43 Park St., Tupper Lake, N. Y.

NEW—Anna Unger, Brooklyn, N. Y.—Construction permit to erect a new station to be operated on **1400 kc.**, 500 watts, sharing time with WVFW, WBBC, and WLTH (facilities of WARD, Brooklyn, N. Y.).

Second Zone

WJBK—John F. Hopkins, Inc., Detroit, Mich.—Special experimental authorization to operate unlimited time to end of license period (1-1-34).

Third Zone

WSMB—WSMB, Inc., New Orleans, La.—License to cover construction permit granted 10-20-33 authorizing move of transmitter.

WPTF—WPTF Radio Company, Raleigh, N. C.—Modification of construction permit to extend required date of completion from 11-19-33 to 2-19-34.

WODX—W. G. Austin and W. O. Pape, Receivers, Mobile, Ala.—Consent to involuntary assignment of license of WODX from Mobile Broadcasting Corp. to W. G. Austin and W. O. Pape, Receivers.

Fourth Zone

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to make a change in the specified hours of operation.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to change frequency to **1360 kc.**, increasing power to 1 KW and make changes in equipment (facilities of WGES) amended to request authority to move transmitter to a location to be determined.

KWCR—Cedar Rapids Broadcast Co., Cedar Rapids, Iowa—Construction permit to consolidate Stations WIAS and KWCR, transmitter location to be determined, install new equipment, change frequency from **1420 kc.** to **1430 kc.**, increase power from 100 watts night, 250 watts day, to 250 watts night, 500 watts day, unlimited time.

WBAA—Purdue University, West Lafayette, Ind.—Modification of license to request additional specified hours and use 1 KW during specified hours in daytime (facilities of WKBF, Indianapolis, Ind.).

Fifth Zone

KUJ—KUJ, Inc., Walla Walla, Wash.—Extension of special experimental authorization to operate unlimited time to 7-1-34.

KGCX—E. E. Krebsbach, Wolf Point, Mont.—Authority to install automatic frequency control.

KWFV—Hilo Broadcasting Co., Ltd., Hilo, Hawaii—Modification of construction permit granted 6-30-33 to erect a new station, to change proposed transmitter and studio location from Haili Tract, Hilo, Hawaii, to Lot 6, Keaukaha St., South Hilo, Waiakea, T. H., install new equipment, and extend commencement and completion dates.

APPLICATIONS RETURNED

KCRC—Enid Radiophone Co., Enid, Okla.—Modification of license to change frequency from **1370 kc.** to **1230 kc.**, increase nighttime power from 100 watts to 250 watts, and change from sharing with KGFG to unlimited. (Filed on wrong application form.)

NEW—Floydada High School, Floydada, Tex.—Construction permit to erect a new station to be operated on **960 kc.**, 15 watts, daytime and limited. (Rules 121, 122, 6, 151, unsatisfactory equipment and location.)

KARK—Arkansas Radio and Equipment Co., Little Rock, Ark.—Modification of construction permit granted 6-9-33 authorizing changes in equipment to make further changes in equipment and extend dates. (Incomplete and equipment.)

WWAE—Hammond Calumet Broadcasting Corp., Hammond, Ind.—Construction permit to change equipment, change frequency from **1200** to **1050 kc.**, increase power from 100 watts to 1 kilowatt, and hours of operation from shares with WFAM to unlimited. (Rules 6, 116, and transmitter site.)

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit to move transmitter and studio to 143 West Second St., Twin Falls, Idaho. (Filed on wrong form and undated.)

RULE 88 AMENDED

Rule 88 was amended by adding the following:

"and provided further that no daytime station or specified-hour station may broadcast any commercial or sponsored program during this period."

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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THE CODE—A CHALLENGE

The purpose of the Broadcasters' Code is to aid in eliminating from the Broadcasting Industry destructive and unfair practices, to bring about higher wages, shorter working hours, better living conditions for employees, to place the industry upon a sounder basis and to enable it better to render a public service.

When President Roosevelt signed the National Industrial Recovery Act on June 16 he characterized the new law as "a challenge" to industry which, he said, has long sought the right to self regulation.

Always mindful of their obligation to the public, broadcasters willingly and generously extended their facilities in order that the American people might be fully informed of the progress of the President's recovery program. They have cooperated with the National Recovery Administration by reducing hours of work and by increasing wages in keeping with the spirit of the President's reemployment campaign. And now, by adopting the Code of Fair Competition for the Broadcasting Industry, approved today by President Roosevelt, they give further testimony of their complete support of the recovery program.

The Broadcasting Industry accepts the "challenge."

BROADCASTERS' CODE APPROVED

President Roosevelt on November 27 approved the Code of Fair Competition for the Broadcasting Industry and its provisions become applicable to every broadcasting station in the United States on December 11.

The signing of the Broadcasters' Code took place at Warm Springs, Ga., during the week-end visit there of General Hugh S. Johnson, National Recovery Administrator.

Official prints of the text of the Code will be available for distribution within the next few days. These will be punched for insertion in the NAB Handbook.

CODE AUTHORITY APPOINTED

At the time the President signed the Code, he appointed as members of the Broadcasters' Code Authority the following:

James W. Baldwin, former Secretary of the Federal Radio Commission; Isaac Z. Buckwalter, WGAL, Lancaster, Pa.; John Elmer, WCBM, Baltimore, Md.; James Kiernan, WLWL, New York, N. Y.; Alfred J. McCosker, WOR, Newark, N. J.; Edward M. Nockels, Secretary of the Chicago Federation of Labor; M. R. Runyon, Treasurer of the Columbia Broadcasting System; Frank M. Russell, Vice President of the National Broadcasting Company; John Shepard, III, President of the Yankee Network.

The Code provides that there shall be named three representatives of the Government in addition to the Code Authority. It is expected that these representatives will be named within the next few days.

The first meeting of the Code Authority will be held on Monday, December 4, at Washington, D. C.

A complete analysis of the wage and hours provisions of the Code as approved precedes a copy of the President's Executive Order in this report.

MAY ADOPT PERMANENT CODE

Under the rules of the NRA all stations (subject to the provisions of Article V, Paragraph 5) may immediately adopt the provisions of the Broadcasters' Code. The entire industry, however, will be under the Code effective December 11.

Each provision in the Code has the full effect of law and violations are subject to the penalties contained in the National Industrial Recovery Act.

PROPOSED CODE IS REVISED

The Code of Fair Competition proposed by the NAB on August 29, copies of which were sent to all broadcasters, was subjected to extensive revision before it was given Presidential approval. While a number of these were insisted upon by the various divisions of the NRA, the most important resulted from objections by labor groups interposed at the public hearing held in Washington on September 27. Following the hearing conferences were held almost daily between representatives of the NRA, labor, and the NAB. Each provision in the Code, as finally revised, was the subject of extensive discussion, and in many instances the final wording was either the result of compromise or decision by the NRA after objection by one or the other of the groups participating in the conferences.

SEVERAL ISSUES UNSETTLED

Several important issues could not be decided and for that reason provisional clauses were inserted in the Code. It was held that the NAB, although it represented 283 stations and 83 per cent of the total volume of radio advertising, was not sufficiently representative of the broadcasting industry to take over administration of the Code. It was necessary, therefore, for the President of the United States to name a temporary Code Authority to administer the Code until such time as the NAB can sign as members at least 70 per cent of all stations. The NRA found, however, that the NAB does not impose inequitable restrictions upon membership and it is the hope of officials of the NRA that NAB membership will be increased within the next 90 days to a point where the industry can take over complete administration of its own Code.

NAB MUST INCREASE MEMBERSHIP

It is the policy of the NRA that existing trade associations strengthen their position and regulate their own industries. At the same time it was made clear in an official statement by General Johnson last week that the Government will not hesitate to step in and administer the Code if the broadcasters fail to fall in line behind the NAB. The Code Authority appointed by the President is under an injunction to recommend a permanent Code Authority at a future date. This was done for the purpose of enabling the NAB to strengthen its membership under its new Constitution and By-Laws, which provide a system of dues based upon two-tenths of one per cent of net sales of broadcasting facilities.

SIGNATURES WILL BE REQUESTED

It is expected that the NRA will require the Code Authority to obtain the signatures of all stations to the Code in its approved form. The request will go forward just as soon as the Code Authority has had an opportunity to organize and get into action.

LICENSE QUESTION UNSETTLED

The question of extending station license terms to the full period granted by the Radio Act of 1927 was raised by the NAB early in the Code proceedings. Although expressing sympathy with the industry's position, officials of the NRA quickly pointed out that since the Radio Act of 1927 lodged the licensing power with the Federal Radio Commission, the NRA was helpless to do anything about the licensing question. Notwithstanding that the report of James W. Baldwin, industrial advisor, which report was approved by the NRA Industrial Advisory Board, emphasizes that "as a definite part of the national program of recovery and increased stability and confidence, the broadcasters are clearly entitled to the full term of license provided by Congress in the Radio Act of 1927" and that he could not "recommend that the radio broadcasting industry be required to make additional fixed and permanent commitments unless it first can be given the full measure of protection provided by law," the Commission has not as yet extended the terms of broadcast station licenses. The NAB has consistently advocated three-year license terms as the best means for bringing stability into the industry.

LABOR PROVISIONS RESTRICTED

After it was considered that all conferences had been concluded, the NRA, over the protest of the NAB, inserted in Article V, Paragraph 5, a provision that "where on November 1, 1933, any broadcaster paid broadcast technicians wages in excess of the minimum herein provided for or worked such employees a lesser number of hours per week than herein permitted, such higher wages and such lesser number of hours shall be deemed to be and are hereby declared to be the minimum scale of wages and maximum number of hours with respect to such stations."

EQUITIES WILL GOVERN

It was argued by the NAB that the above provision would penalize the broadcaster, who in an endeavor to cooperate with the Administration, signed the blanket code, reduced hours of work to 40 and adjusted wages; and discriminate against him in favor of the broadcaster who did not sign the President's Reemployment Agreement. It was further argued that such a condition, if permitted to continue, would seriously affect competitive conditions between stations similarly situated. It was then agreed that the Administrator should have the power to make exceptions and upon the insistence of the NAB there was inserted in the Code the following provision:

"Where the operation of the provisions of this Code imposes an unusual or undue hardship upon any broadcaster or network such broadcaster or network may make application for relief to the Administrator or to his duly authorized agent, and the Administrator or his agent may, after such public notice and hearing as he may deem necessary, grant such exception to or modification of the provisions of this Code as may be required to effectuate the purpose of the National Industrial Recovery Act."

PERFORMERS DEMAND RECOGNITION

Disagreement arose over the inclusion of radio performers in the Code at the time of public hearing. Mrs. Annette R. Bushman, representing Allied Production Incorporated of New York, urged adoption of a provision in the Code setting minimum rates for actors and musicians. Her position was supported by Frank Gillmore, president of the Actors' Equity Association, who alleged that the industry was guilty of abuses concerning artists and their participation in rehearsals and auditions. His original proposal, which was modified later, provided that the minimum wage for broadcasting by actors in radio be $25 for a sustaining hour or part thereof and $50 for a commercial hour or part thereof. He demanded that for each broadcast two free rehearsals be given by actors of not more than three hours each and that half salaries be paid for additional rehearsals of not more than three hours. For broadcasting to make electrical transcriptions a minimum rate of $150 was urged. He proposed that all auditions be paid at half of the minimum scale and that actors called to the studio be paid whether they go on the air or not.

This proposal met vigorous objection on the part of the NAB and after a number of lengthy conferences it was agreed that the whole subject should be made the subject of study by the Code Authority. As a result of these conferences Article VI, Section 3, was adopted.

ARTA WANTS $225 FOR OPERATORS

Hoyt S. Haddock, president of the American Radio Telegraphists Association, Inc., demanded a 36-hour week for broadcast technicians with twice the normal rate for overtime. He urged the adoption of a pay schedule for all stations, large and small, ranging from $150 to $225 per month. This proposal also met with objection and was later discarded when it was shown that this organization was not representative of operators employed in the broadcasting industry.

IBEW DEMANDS 40-HOUR WEEK

Thomas R. McLean, Radio Division, International Brotherhood of Electrical Workers, demanded $40 pay for a 40-hour week for broadcast technicians at the hearing. He asserted that he represented by agreement 100 per cent of the stations in St. Louis, WCFL in Chicago, and WMCA, WAAT, and WHOM in Greater New York. He claimed to represent by membership: Chicago, 65 per cent; Fort Wayne, 100 per cent; Detroit, 90 per cent; Cleveland, 100 per cent; Akron, 100 per cent; Birmingham, 100 per cent; Jersey City, 100 per cent; Newark, 100 per cent; Kansas City, Kans., 100 per cent; Kansas City, Mo., 100 per cent. He purported to represent by signature stations in some 30 additional cities ranging from 75 to 100 per cent.

WAGE DIFFERENTIAL OPPOSED

McLean maintained that the 40-hour week and $40 wage should be applicable to both large and small stations and opposed any lower classification for small stations on the grounds that they employ fewer men.

The NAB stood on its original proposal and demanded that stations be classified with respect to their economic position. The clash which began at the hearing continued throughout conferences which lasted for more than six weeks. Finally, there was agreement on the establishment of a 48-hour week for operators and control men and a classification of minimum wages ranging from $20 to $40 a week depending upon the class of the employer-station.

However, as a result of these lengthy negotiations, it was agreed that the Code Authority shall "investigate the hours of labor, wages, and working conditions of broadcast technicians and the relation thereof to general conditions within the industry, and within a period of ninety days from the effective date of this Code, shall report thereon to the Administrator."

WCFL MAKES DEMANDS

During the hearing and in subsequent conferences, Benjamin F. Goldstein, representing the Chicago Federation of Labor, insisted upon a 40-hour week for all employees except radio operators and control men. With respect to operators and control men, the substitute code offered by the Chicago Federation of Labor proposed a 48-hour week. While the substitute code maintained the station differential proposed in the NAB draft it fixed as a minimum for operators and control men $40 a week for large stations and $25 for smaller stations. The minimum weekly wage for announcers and program production employees was fixed at $35 in large stations and $20 in the smaller stations, based on a 40-hour week. He advocated similar increases over the rates proposed by the NAB.

WANTED RECORDS PROTECTED

Representing the leading phonograph record manufacturing companies, H. A. Huebner, attorney, New York, asked that the Code contain a provision making it an unfair trade practice and a violation of the Code for any broadcaster or network to broadcast records without the prior written consent of the manufacturer of such records. The NAB refused to agree to such a provision, arguing that if the phonograph record companies had any legal rights in the matter they should pursue such rights in the law courts and not ask the NRA to settle the issue for them.

WOULD CONTROL ALL ADVERTISING

The proposal of the American Home Economics Association that there be included in the Code a fair trade practice provision barring "the broadcasting of any false representation regarding goods and services or any representations which may by ambiguity or inference mislead the hearer regarding the value of such goods or services" was rejected after it had encountered vigorous objection from the NAB. It was argued by the NAB that inclusion of such a provision would place the broadcasting industry at a disadvantage unless all other advertising media were under a similar regulation. It was argued further that the manufacturer, rather than the media, was the responsible party if such advertising practices existed.

Chart showing **LABOR** *and* **WAGE** *Provisions of Broadcasters' Code*

MINIMUM WAGES	Clear Channel Station	High Power Regional Station	Clear Channel Part-time Station	Low Power Regional Station	Low Power Regional Part-time Station	Local Un-limited Station	Local Part Time Station
Broadcast Operators and Control Men: (a) If more than three operators and control men were regularly employed on July 1, 1933, the minimum weekly wage is................	$40.00	$40.00	$30.00	$30.00	$20.00	$20.00	$20.00
(b) If not more than three operators and control men were regularly employed on July 1, 1933, the minimum weekly wage is................	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00
(c) Apprentices................................	$12.00	$12.00	$12.00	$12.00	$12.00	$12.00	$12.00
Announcers, and program production employees: (a) If more than 10 employees were regularly employed on July 1, 1933, the minimum weekly wage is..........................	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00
(b) If not more than 10 employees were regularly employed on July 1, 1933, the minimum weekly wage is..........................	$15.00	$15.00	$15.00	$15.00	$15.00	$15.00	$15.00
All other employees, except salesmen working on commission, shall receive a weekly wage of at least— (a) In any city of over 500,000 population or in the immediate trade area of such city........	$15.00	$15.00	$15.00	$15.00	$15.00	$15.00	$15.00
(b) In any city of between 250,000 and 500,000 population or in the immediate trade area of such city..................................	$14.50	$14.50	$14.50	$14.50	$14.50	$14.50	$14.50
(c) In any city of between 2,500 and 250,000 population or in the immediate trade area of such city..................................	$14.00	$14.00	$14.00	$14.00	$14.00	$14.00	$14.00
(d) In any town or place of less than 2,500 population................................	$12.00	$12.00	$12.00	$12.00	$12.00	$12.00	$12.00
MAXIMUM HOURS							
Broadcast operators and control men............	48 hours	48 hours	48 hours	48 hours	48 hours	48 hours	48 hours
Employees in a managerial or executive capacity (including announcers, production men, and chief operators) (a) If they receive more than $35 per week (b) If they are employed in stations which on July 1, 1933, regularly employed not more than 10 persons, and receive more than $25 per week. *Outside salesman.*	There are no maximum hour provisions applicable to these classes.						
Employees on emergency maintenance and emergency repair work............................	Must be paid at least one and one-half times the normal rate for hours worked in excess of 40, except in the case of broadcast operators and control men, who shall be paid at least one and one-half times the normal rate for hours worked in excess of 48.						
All other employees (including announcers, production men and chief operators not in a managerial or executive capacity)..........................	40 hours	40 hours	40 hours	40 hours	40 hours	40 hours	40 hours
Persons employed on special event programs........	The maximum hours of work shall not exceed the number of hours above prescribed for their class of work averaged over any six-weeks' period.						

NOTE:

Article IV—Section 2 provides: "Employers agree not to reduce the compensation for employment now in excess of the minimum wages hereby agreed to (notwithstanding that the hours worked in such employment may be hereby reduced) and to increase the pay for such employment by an equitable readjustment of all pay schedules where a state law provides a higher minimum wage than is provided in this code, no person employed within that state shall be paid a wage below that required by such state law."

Article V—Section 5 provides: "Working conditions in any broadcasting station or network shall not be changed to frustrate the intent and purpose of this code. Where on November 1, 1933, any broadcaster paid broadcast technicians wages in excess of the minimum herein provided for or worked such employees a lesser number of hours per week than herein permitted, such higher wages and such lesser number of hours shall be deemed to be and are hereby declared to be the minimum scale of wages and maximum number of hours with respect to such stations."

See also Sections 1, 2, 3, 4, 6 and 7 of Article V.

EXECUTIVE ORDER
CODE OF FAIR COMPETITION
for the
RADIO BROADCASTING INDUSTRY

An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Radio Broadcasting Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do approve the report and recommendations, and adopt the findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.

FRANKLIN D. ROOSEVELT.

The White House, November 27, 1933.

Approval recommended:

HUGH S. JOHNSON,
Administrator.

LETTER OF TRANSMITTAL

The President, November 27, 1933.
The White House.

SIR: A proposed Code of Fair Competition for the Radio Broadcasting Industry was submitted to the Administrator on August 29, 1933, by the National Association of Broadcasters, Inc. The Association is an established trade association of long standing and is the only trade association in the Industry. It represents approximately forty-five (45%) per cent of the stations by numbers and over eighty-three (83%) per cent of the volume of business done within the Industry.

A Hearing was conducted in Washington, D. C., on September 27, 1933, and the Code was revised during the recess of this Hearing and is submitted in its present form for approval. Every person who requested an appearance was heard in accordance with statutory and regulatory requirements. Communications received from interested parties who had not requested to be heard were read into the record.

Radio Broadcasting in its present form is a comparatively new development. It embraces the complete operation of all stations or networks designed for broadcasting, including, in connection with such operations, the perparation and production of programs both sponsored and unsponsored for the purpose of providing entertainment, instruction and general service through the agency of radio broadcasting.

ARTICLE III
Hours

This Article provides that no employee shall be permitted to work in excess of 40 hours in any one week, except that such hourly limitations do not apply to employees in managerial or executive capacity who receive not less than $35 per week in the larger stations, nor to the same class of employees who receive not less than $25 per week in radio broadcasting stations in which, on July 1, 1933, not more than ten persons were regularly employed. Further, such hourly and daily limitations do not apply to employees on emergency maintenance or emergency repair work, but overtime is to be paid for hours worked in excess of the maximum. Broadcast technicians are permitted to work 48 hours per week. Regarding this class of employees there was a lack of reliable statistics covering the number of hours which they now work, and faced with this lack of statistics it was deemed necessary to allow a 48-hour week pending the report of the Code Authority on a study to be made within ninety (90) days. The hours of such employees now vary from a minimum of 36 hours to a maximum of over 80. Approval of a 48-hour week for the next ninety (90) days has been given by the Advisors to the Deputy.

Those stations which now operate on the basis of a lesser number of hours per week are limited to those hours and may not increase their working week for broadcast technicians to 48. Overtime is not permitted within the Industry except in the case of an emergency worker.

It is the first time within the Industry that there has been a classification of workers, minimum rates of pay, or maximum number of hours of employment. The reduction in hours will require the reemployment of some 765 men, or an increase of 350 men over the total employed within the Industry for any previous period.

ARTICLE IV
Wages

Non-technical employees are guaranteed the wages provided in the President's Reemployment Agreement. The guaranteed wage for broadcast operators and control men varies in amount according to the Federal Radio Commission classification of the station by which they are employed, as follows:

(*a*) Clear channel or high-power regional stations, not less than $40 per week;

(*b*) Clear channel part-time or low-power regional stations, not less than $30 per week;

(*c*) Low-power part-time regional, local unlimited, or local part-time stations, not less than $20 per week. Such employees in the past have been paid as little as $9 per week in some of the small stations. Announcers and program production employees are to receive not less than $20 per week, except in the very small stations, where they are to receive not less than $15.

The employers agree not to reduce the compensation for employment now in excess of minimum wages, notwithstanding that the hours may be reduced, and to increase the pay for such employment by an equitable readjustment.

There is no discrimination between the sexes in rates of pay.

ARTICLE V
General Labor Provisions

No one under sixteen years of age is to be employed within the Industry, except as talent on programs and then for not more than three hours per day, and those hours to be such as will not interfere with school hours.

This Article embodies Paragraph (a) Section 7 of Title I of the National Industrial Recovery Act. It further provides that working conditions shall not be changed to frustrate the intent and purpose of this Code.

In the proposed Code there is constituted a named Code Authority of nine (9) comprising representatives of independent stations, the Special Advisor, the Industrial Advisor and the Labor Advisor on the Code, two representatives of the broadcasting networks and in addition not more than three members to be appointed by the Administrator. The members of the Code Authority, with long experience and training within the Industry, were named so that there might be no delay in instituting the investigations which are required of that body, and in making recommendations to the Administrator for a permanent form of organization for the administration of the Code.

Economic Effect

The provisions of the Code will require reemployment of 765 men and will increase existing payrolls and the buying power of this group at the estimated rate of $1,328,000 per year. The total payrolls under the Code will be more than double those of 1929. More stations are now in operation and more individuals employed than there were in 1929. My information indicates that there will be no increase in rates charged for facilities, so the consumer should not be adversely affected. The Industry will be required to absorb the greater operating costs.

The Research and Planning Division reports that the Code is designed to improve conditions in the Radio Broadcasting Industry, and that they are satisfied with the Code as it stands.

Findings

The Administrator finds that:

(*a*) This Code complies in all respects with the pertinent phrases of Title I of the Act, including, without limitation, subsection (a) of Section 7, and subsection (b) of Section 10 thereof;

(*b*) The Committee which proposes the Code is truly representative of the Radio Broadcasting Industry, and the by-laws of the Association representing the divisions thereof provide no inequitable restrictions to membership;

(*c*) The Code is not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of Title I of the National Industrial Recovery Act.

It is recommended, therefore, that this Code be approved.

Respectfully, HUGH S. JOHNSON,
Administrator.

REPORT OF DEPUTY ADMINISTRATOR

November 14, 1933.

To the National Recovery Administrator:

General Statement

On August 29, 1933, there was submitted to the National Recovery Administrator a proposed Code for the Radio Broadcasting Industry.

Such proposed Code was signed and submitted by the National Association of Broadcasters, Inc., the membership of which is representative of all sections of the country and includes some 275 broadcasting stations. Statistics are not available to determine with accuracy the percentage of the total broadcasting business which is done by the members of the Association, but it is believed to be in excess of 83 per cent of the total volume of business done by the entire industry.

The Public Hearing

A Public Hearing was held and completed on September 27, 1933, in the Ball Room of the Raleigh Hotel, Washington, D. C. A list of witnesses is contained in the transcript of record of such Public Hearing.

Upon the Public Hearing the following sat with your Deputy as Advisors:

G. E. Renard, Consumer Advisor; Edward Nockles, Labor Advisor; L. M. C. Smith, Legal Advisor; James Baldwin, Industrial Advisor; Donald K. Wallace, Research and Planning Division; and John Shepard, III, Special Advisor.

All elements of the Industry were heard and the statistical position of the Industry was satisfactorily presented. Communications received from interested parties who had not requested to be heard were read into the record.

CONFERENCES AFTER THE HEARING

Following the Public Hearing, conferences were held with the representatives of all groups present, together with the Advisors. As a result of these conferences each and every matter was considered, involving employers, labor and the consumers, and with the unanimous approval of all parties was agreed upon.

THE CODE AS REVISED

For the first time in the history of this Industry, minimum wages and maximum number of hours of employment are provided for, together with a guaranteed minimum weekly wage. The immediate effect of these will be to increase existing payrolls at the estimated rate of $1,328,000 per year. Compliance with the Code, plus voluntary plans for increasing the network employment, will increase by approximately 765 the number of persons regularly employed in the Industry. This will exceed by about 350 persons the total for any previous period. The total payrolls under the Code will be more than double those of 1929, the peak year in most industries, and will equal 93.2 per cent of the payrolls of 1931, the peak year in the Radio Broadcasting Industry, notwithstanding the salary cuts in the higher brackets.

My best information is that there will not be an increase in rates charged for facilities so that the consumers should not be adversely affected. The Industry will be required to absorb the greater operating costs.

BRIEF ANALYSIS OF THE PROVISIONS OF THE REVISED CODE

Hours

(*a*) Forty hours is established as the working week except as to employees in managerial or executive capacity, outside salesmen, employees on maintenance and emergency repair work, persons employed on special event programs of public interest, but in this case the hours averaged over a six weeks' period shall not exceed the maximum for their class, and broadcast technicians who are permitted to work 48 hours per week. Concerning the latter class of employees there was a total lack of reliable statistics covering the number of hours that such employees worked, and faced with this lack of statistics, your Deputy deemed it necessary to allow this 48-hour week pending the report of the Code Authority after a study to be made within ninety (90) days. The hours of such employees vary from a minimum of 36 hours per week to a maximum of over 80. Approval of a 48-hour work week for the next ninety (90) days has been given by the Advisors.

To preserve the gains made through any employers signing the President's Reemployment Agreement and reducing hours to 40 per week (before the approval of a substitution allowing 48 hours per week for this class of employee), a clause has been inserted in the Code as follows:

> "Working conditions in any broadcasting station or network shall not be changed to frustrate the intent and purpose of this Code. Where on November 1, 1933, any broadcaster paid broadcast technicians wages in excess of the minimum herein provided for or worked such employees a lesser number of hours per week than herein permitted, such higher wages and such lesser number of hours shall be deemed to be and are hereby declared to be the minimum scale of wages and maximum number of hours with respect to such stations."

Overtime is not permitted within the Industry except in the case of emergency maintenance and emergency repair men.

Wages

(*b*) Non-technical employees are guaranteed the wages provided in the President's Reemployment Agreement. The guaranteed wage for broadcast operators and control men varies in amount according to the Federal Radio Commission classifications of the station by which they are employed, as follows:

(*a*) Clear channel or high-power regional stations, not less than $40 per week;

(*b*) Clear channel part-time or low-power regional stations, not less than $30 per week;

(*c*) Low-power part-time regional local unlimited or local part-time stations, not less than $20 per week.

Such employees in the past have been paid as little as $9 per week in some small stations.

Announcers and program production employees are to receive $20 per week, except that in small stations where not more than ten persons were regularly employed on July 1,. 1933, the rate is $15 per week. The employers agree not to reduce the compensation for employment now in excess of the minimum wages, notwithstanding that the hours may be reduced, and to increase the pay for such employment by an equitable readjustment.

No persons under sixteen years of age is to be employed within the Industry, except as talent on programs and then for not more than three hours per day, and those hours to be such as will not interfere with school hours.

In the proposed Code there is constituted a named Code Authority comprising representatives of independent stations, the Special Advisor, the Industrial Advisor, and the Labor Advisor on the Code, two representatives of the broadcasting networks, and three members to be appointed by the Administrator. The members of the Code Authority were named because of their experience and training in the Industry so that there might be no delay in instituting the investigations which are required of that body and in recommending to the Administrator a permanent form of organization for the administration of this Code.

To insure further that the Code Authority shall be truly representative of the entire Industry and all its component parts there is a provision that when any question directly or indirectly affecting any class of employees engaged in the Radio Broadcasting Industry is to be considered by the Code Authority, one representative of such class selected by the Administrator from nominations made by such class in such manner as may be prescribed by the Administrator shall sit with and become for such purposes a member of the Code Authority with a right to vote.

Open price schedules are provided for among the trade practices by requiring each broadcaster and network to publish and file with the Code Authority a schedule of all of its rates regularly and currently charged to advertisers for the use of broadcasting time, together with all discounts, rebates, refunds and commissions which shall be allowed to the users of such time.

* * * * *

The revised Code is adopted by the authorized representatives of the Association and by authorized representatives of employees, as appears from their adoption in writing appended hereto.

There are also appended hereto the reports on the Revised Code of the Industrial Advisory Board, Labor Advisory Board, Consumers' Advisory Board, Research and Planning Division, and Legal Division. Your Deputy finds that:

(*a*) The Code as revised complies in all respects with the pertinent provisions of Title I of the Act, including, without limitations, subsection (a) of Section 7 and subsection (b) of Section 10 thereof; and that

(*b*) The National Association of Broadcasters, Inc., imposes no inequitable restrictions on admissions to membership therein and is truly representative of the Radio Broadcasting Industry; and that

(*c*) The Code is not designed to eliminate or oppress small enterprises and will not operate to discriminate against them and will tend to effectuate the policy of Title I of the National Industrial Recovery Act.

Accordingly, I hereby recommend the approval of the Code of Fair Competition for the Radio Broadcasting Industry.

Respectfully submitted,

Sol A. Rosenblatt,
Deputy Administrator.

INDUSTRIAL ADVISOR'S REPORT

INDUSTRY: Radio Broadcasting

ADVISOR: James W. Baldwin

DEPUTY ADMINISTRATOR: Sol A. Rosenblatt

HEARING HELD: September 27, 1933

COMMENTS ON HEARING:

The Industry was represented at the hearing by the National Association of Broadcasters, the only Trade Organization in the Industry. Its membership today numbers 275 stations and embraces all classes of broadcasting stations licensed by the Government. These member stations do approximately 83 per cent of all the broadcasting business. Further, its membership is representative of all sections of the country.

The statistical position of the Industry is reflected in a paper submitted to the National Recovery Administration by the National Association of Broadcasters and titled "The Economics of American Broadcasting." This paper is based upon data contained in—

Commercial Radio Advertising—Senate Document 137.

A Decade of Radio Advertising—Herman S. Hettinger.

Annual Reports of the Federal Radio Commission.

The Work of the Federal Radio Commission—Brookings Institute.

Current information from network companies and individual stations.

The data supplied in respect of wages, hours and employment are based upon information supplied by the two national network companies and by a sample of 154 individual stations from whom information was collected as of the week ended July 29, 1933. These stations comprise 25.5 per cent of the entire number of stations in the country. Of the total questionnaires, 54.5 per cent came from members of the National Association of Broadcasters and 45.5 per cent from non-member stations. The data thus supplied are not satisfactory in that they fail to show accurately the number of hours worked in the industry.

COMMENTS ON CODE:

The labor provisions contained in the Code are in themselves satisfactory. (See "Other Comments.") The immediate effect of these will be to increase existing payrolls at the estimated rate of $1,328,000 per year.

RADIO OPERATORS AND CONTROL MEN. One point which caused considerable controversy concerned the hours of labor for radio operators and control men (Article III, Paragraph 2, sub-paragraph d). The question was whether these men should work 40 hours per week or 48 hours per week. These men attend the transmitter and control panels. Persons desiring to operate transmitters must prove their qualifications for such work by written examinations conducted by the Federal Radio Commission and are licensed by the Government as are navigators of vessels. The general practice in the Industry is to hire only licensed operators for attending both the transmitter and the control panels.

The broadcast day has been defined by the Federal Radio Commission to mean that period of time between 6 a. m. and 12 midnight (Rule 87). In a great many cases the practice, prior to the President's Reemployment Agreement, has been to allow operators to work as many as seventy hours and more per week.

The following factors are considered as justifying the provision in this Code for 48 hours per week, pending investigation by the Code Authority and report thereon to the Administration (Article VI, Paragraph 4), of the hours of labor, wages, and working conditions of broadcast technicians and the relation thereof to general conditions within the Industry:

1. The President's Reemployment Agreement already has resulted in a substantial reduction in the number of hours worked.
2. Reliable information that the work is neither hazardous nor fatiguing and that working conditions are excellent.
3. The existence of contracts between Union operators and station owners calling for a 48-hour week.
4. The absence of any general unemployment among persons licensed to operate broadcast stations. Official advices from the Federal Radio Commission, dated September 18, 1933, show there are 7,103 men licensed to operate broadcasting stations; that 4,730 of these hold licenses valid for the operation of commercial ship, land and experimental stations of which there are 4,559. Statistics furnished by the National Association of Broadcasters show 2,100 men are employed within the Broadcasting Industry as operators and control men. This would leave 5,003 men for employment by 3,960 licensed stations. Many of these stations, of course, must employ more than one operator. For example, a first-class ship license, of which there are about 250, carries an obligation to carry two operators. Allowing 2,100 as employed by the Broadcasting Industry, 500 by ships carrying first-class licenses and only one operator for the remaining 3,710 stations, the difference would be only 793. Further, the demands of the Department of Commerce on this class of operators amounts to about 450 which leaves but 343 men for which to account.

MUSICIANS. The Code does not fix hours and wages for musicians. This is because the representative of the American Federation of Musicians regarded the conditions in different parts of the country to be at such a variance as to make it virtually impossible to treat the subject without injury to existing agreements. At his request, and agreeably to the Industry, the Code has been made to provide (Article V, Paragraph 7):

Nothing herein contained shall be construed to apply to employees whose rates of wages, hours and/or weekly full time wages are established by labor agreement, understandings or practices now in force, where such minimum rates of pay are higher and the maximum number of hours per week are lower than those set forth herein above.

RADIO ARTISTS AND PERFORMERS. At the public hearing and in subsequent conferences strong representations were made on behalf of radio artists and performers. Chief among these were those made by the representative of the Actors Equity Association. This representative urged the adoption of provisions which, among other things, would, (a) establish minimum fees for each performance, (b) provide different fees for different classes of stations, (c) prevent a performer from doubling, (d) fix fees for "extras," (e) prevent the participation by a studio employee in, for example, a "mob hurrah," (f) prevent free auditions, (g) regulate rehearsals, (h) prevent voluntary service, etc.

The best information available indicates that the employment of professional artists and performers, within the broadcasting Industry, is confined to a few large stations, and companies engaged in network broadcasting. Further, it is not established that the Actors Equity Association represents any fair proportion of those artists and performers employed in this Industry. Again, the Association failed to support a single claim of abuse. All of their complaints were very general in character, and unsupported by facts.

There is not available any qualitative data upon which a final decision in these matters can be made. Moreover, it will require considerable time to collect such data. For these reasons the Code has been made to provide (Article VI, Paragraph 3) that the Code Authority shall investigate the hours of labor and the wages of radio artists and performers and make a report thereon to the Administrator.

PHONOGRAPH RECORDS. A representative of the American-Brunswick Record Corporation proposed that the Code contain the following provision:

> "It shall be an unfair practice and a violation of this Code for any broadcaster or network to broadcast records without the prior written consent of the manufacturer of such records."

A like request was made by the RCA-Victor Company. A full discussion of this question, like others involved herein, would require more space than appears to be justified. I consider it sufficient to point out here, (1) that this matter involves important questions of law; (2) that if injury is done any interested party, he has a remedy in a court of law, and (3) by admission of the American-Brunswick representative, they seek to have the National Recovery Administration furnish a kind of relief "which would be highly difficult to accomplish in the courts of law, if it could be done" (R. 158, 159).

ADVERTISING OF DRUGS AND MEDICINES. The Executive Secretary of the American Home Economics Association proposed that, "No broadcaster or network shall knowingly permit the broadcasting of any false representations regarding goods or services or any representations which may by ambiguity or inference mislead the hearer regarding the value of such goods or services."

This subject, as it relates to all advertising media, has received extensive study by the Department of Agriculture. Moreover, as a result of this study, a bill has been introduced for consideration by the Congress. The Industry insists, and I think their claims cannot be disputed, that this matter is one which cannot be adequately treated in any code so as to apply the same principles to all the different advertising media and that regulation, if found desirable, must be statutory in character.

Compliance with the Code, plus voluntary plans for increased network employment will increase by approximately 765 the number of persons regularly employed in the Industry. This would exceed by about 350 persons, or more than 3 per cent, the total for any previous period. It is estimated that total payrolls under the Code will be more than double those of 1929, the peak year in most industries and will equal 93.2 per cent of the payrolls in 1931, a peak year for the Radio Broadcasting Industry, notwithstanding the salary cuts in the higher brackets.

The effects of the operation of the Code will be beneficial to labor. My best information is that there will not be an increase in rates charged for facilities, so that the consumer should not be adversely affected. The Industry will be required to absorb greater operating costs. Compliance with the trade practices provisions should be beneficial to both the radio auidences and the Industry.

The importance of Article VIII, Paragraph 2, of this Code arises out of the fact that this Industry exists by virtue of licenses issued by the Federal Government pursuant to provisions contained in the Radio Act of 1927 (Title 47, Part 5, U. S. C.). The obligations and responsibilities imposed upon the Industry by that Act, and by the rules and regulations of the Federal Radio Commission made pursuant thereto, make it absolutely necessary to avoid any conflict therewith.

OTHER COMMENTS:

This is a Federally licensed Industry, subject to rigid obligations to serve the public interest. It should be pointed out that each of the 588 broadcasting stations must seek a renewal of its license to operate every six months; that in practice a great many owners of stations, at renewal periods, are faced with the necessity of prosecuting their applications against some one who seeks to take their radio facilities away from them. Aften-times such applications are frivolous in character. Nevertheless, the licensee, in such cases, is compelled to engage technical and legal aid in order that he may prove his case at a formal hearing which is conducted by the Federal Radio Commission. Frequently, this is so where the Federal Radio Commission, over a period of several years, has found that the station was operated in the public interest.

The cost of these proceedings is very great. It requires station owners, through no fault of theirs, to spend substantial sums for the services of expert radio engineers and lawyers, which otherwise could be used to engage a greater number of employees with benefit to programs rendered.

The Radio Act of 1927 provides for license periods not exceeding three years (Sec. 9). While the Industry was being formed, there could be no question as to the wisdom of limiting license periods to short terms. Today, however, the state of the art, and the power of the Government to revoke licenses for violation of or failure to observe any of the restrictions and conditions of the Radio Act of 1927 or of any regulation of the licensing authority authorized by that Act or by a Treaty ratified by the United States, etc. (Sec. 14), make short term licenses unnecessary. In view of the commitment now being required of every broadcaster under the terms of the National Recovery Act, it is a manifest injustice that this Industry should be compelled to measure the existence of every one of its component parts in terms of not more than six months. As a definite part of the national program of recovery and increased stability and confidence, the Broadcasters are clearly entitled to the full term of license provided by Congress in the Radio Act of 1927. I cannot recommend that the Radio Broadcasting Industry be required to make additional fixed and permanent commitments unless it first can be given the full measure of protection provided by law.

The responsibility for a decision on this point rests with the Federal Radio Commission. However, we are faced with the situation where one branch of the Government (The Federal Radio Commission) is licensing and regulating an industry and another branch of the Government (The National Recovery Administration) is making decisions of the greatest importance to that Industry's economic existence. It seems only proper, therefore, to suggest that there should be the closest kind of cooperation between these two agencies. I urge the Recovery Administration to give serious consideration to this phase of the question and to make a proper recommendation thereon to the Federal Radio Commission.

Except for this point, which is not within the jurisdiction of the National Recovery Administration, I consider the Code, a copy of which is hereto attached, to be fair to both industry and labor and recommend its approval.

James W. Baldwin,
Industrial Advisor.

SUPPLEMENTAL COMMENT ON CODE

I have examined the draft of the Code of Fair Competition for the Radio Broadcasting Industry, dated November 18, 1933, and stand upon the conclusions and recommendations contained in my report of November 6, 1933.

(Signed) James W. Baldwin,
Industrial Advisor.

Nov. 21, 1933.

INDUSTRIAL BOARD'S APPROVAL

November 21, 1933.

To: Deputy Administrator S. A. Rosenblatt.
From: E. R. Stettinius, Jr.

Mr. James W. Baldwin, Industrial Advisor, has approved the final copy (dated November 18, 1933) of the Code for the Radio Broadcasting Industry, and the Industrial Advisory Board hereby confirms this approval.

E. R. Stettinius, Jr.,
Washington Representative,
Industrial Advisory Board.

TRT:OE

CONSUMERS' ADVISOR'S REPORT

November 18, 1933.

Memorandum To: Sol Rosenblatt, Deputy Administrator.
From: Consumers' Advisory Board.
Subject: Approval of Code for the Radio Broadcasting Industry.

The Consumers' Advisory Board advises approval of the above Code, revised as of November 16, 1933.

In view of the widespread public interest in the Radio Broadcasting Industry this Board respectfully recommends the appointment of a consumer representative on the Code Authority, and is prepared to suggest a qualified individual for such appointment if requested by the Administrator.

George B. Haddock,
Consumers' Advisory Board.

MI.

LABOR BOARD'S APPROVAL

November 18, 1933.

To: Deputy Administrator Rosenblatt.
From: Labor Advisory Board.
Subject: Code of Fair Competition for the Radio Broadcasting Industry. Fourth Revision—November 17, 1933.

We approve of the labor provisions of this Code as revised November 17, 1933.

Leo Wolman, *Chairman,*
Labor Advisory Board.

REPORT OF LEGAL DIVISION

N. R. A. Legal Division. Monday, November 20, 1933.
To: Sol A. Rosenblatt.
From: Legal Division.
Subject: Code of Fair Competition for the Radio Broadcasting Industry.

The final draft, dated November 18, 1933, of the Code of Fair Competition for the Radio Broadcasting Industry has been examined and passed by the Legal Division, subject to the following recommendations:

1. That section 6 of Article VI, third line be amended to conform to Office Order No. 34.
2. Section 5 of Article VI is capable of the interpretation of permitting the Code Authority to handle labor disputes. This should be borne in mind in the instructions to the Code Authority.
3. Article VII, section 1 (a). This permits five more days than is permitted by policy memorandum in respect to open pricing.
4. Article VI, sections 2 and 3. This does not define the elements of cost in accordance with the policy memorandum.

L. M. C. Smith,
Legal Division.
Assistant Counsel.

LMCS:1cb.

RESEARCH AND PLANNING REPORT

November 11, 1933.

From: Donald K. Wallace, Research and Planning Division.
To: Sol A. Rosenblatt, Deputy Administrator.
Subject: Radio Broadcasting Industry.

Owing to the fact that the radio broadcasting industry is comparatively young, and to the fact that it has expanded rapidly in the past five or six years, an attempt to compare the current activities and economic conditions of the industry with those of any preceding year would tend to give misleading results.

For example, in the average industry, the employment peak occurred in 1929, and it is the desire of the Administration to reabsorb wage earners to the extent of putting employment back to the 1929 level. In the case of the Radio Broadcasting Industry, however, more stations are in operation now, and more individuals employed, than there were in 1929. Therefore, that year cannot be used as a barometer.

In so far as the Code is designed to improve conditions in the Radio Broadcasting Industry, our division is satisfied with it as it stands modified, amended, or changed by the Deputy Administrator.

Respectfully submitted,

Donald K. Wallace,
Division of Research and Planning

SPECIAL ADVISOR'S REPORT

WESTERN UNION

1933 Nov 2 PM 3 27.

WU97 DL-WUX Boston, Mass., 2 309P.
Sol Rosenblatt, Deputy Administrator NRA,
Department of Commerce Bldg.

Have been carefully over third revision of Broadcasting Code and believe it to be fair to both industry and labor stop It therefore has my approval as Special Advisor.

John Shepard Third.
2931

McCOSKER SIGNS FOR N. A. B.

ADOPTION OF THE REVISED CODE OF FAIR COMPETITION FOR THE RADIO BROADCASTING INDUSTRY

The undersigned does hereby adopt the Code for the Radio Broadcasting Industry as finally revised.

NATIONAL ASSOCIATION OF BROADCASTERS, INC.,
By its President duly authorized to adopt such code:

Alfred J. McCosker,
President.

November 15, 1933.

WEBER SIGNS FOR A. F. OF M.

November 18, 1933.

The undersigned hereby approves and adopts the foregoing Code of Fair Competition for the Radio Broadcasting Industry.

Joseph W. Weber, *President,*
American Federation of Musicians.

ELLIOTT SIGNS FOR IATSE

November 18, 1933.

The undersigned hereby approves and adopts the foregoing Code of Fair Competition for the Radio Broadcasting Industry.

William C. Elliott, *President,*
International Alliance of Theatrical Stage
Employees and Moving Picture Machine
Operators of the United States and Canada.

TRACY SIGNS FOR IBEW

November 18, 1933.

The undersigned hereby approves and adopts the foregoing Code of Fair Competition for the Radio Broadcasting Industry.

Dan W. Tracy, *President,*
International Brotherhood of Electrical Workers.

CODE OF FAIR COMPETITION
for the
RADIO BROADCASTING INDUSTRY

ARTICLE I

Purposes

To effectuate the policy of Title I of the National Industrial Recovery Act, the following provisions are submitted as a Code of Fair Competition for the Radio Broadcasting Industry, and upon approval by the President shall be the standard of fair competition for such Industry and shall be binding on every member thereof.

ARTICLE II

Definitions

1. *Radio Broadcasting,* as used herein, means the transmission through space by means of any radio frequency of signals intended to be received, whether audibly or visually, directly by the public.

2. *Radio Broadcasting Industry,* as used herein, embraces the complete operations of all broadcasters, or networks designed for broadcasting as above defined, including, in connection with such operations, the preparation and production of programs, both sponsored and unsponsored, for the purpose of providing entertainment, instruction and general service through the agency of radio broadcasting.

3. *Broadcaster,* as used herein, means any individual, partnership, corporation, association or other form of enterprise engaged in the radio broadcasting industry as above defined.

4. *Network,* as used herein, means any individual, partnership, corporation, association, or other form of enterprise, in the business of regularly supplying, by wire or wireless, programs for broadcasting, simultaneously to two or more radio broadcasting stations.

5. *Employee,* as used herein, means any person engaged in the industry and employed by a broadcaster or network at a regular hourly, daily, weekly, or monthly salary or wage, as distinguished from an independent contractor or a professional person who is paid by the job or performance.

6. *Employer,* as used herein, means any broadcaster or network engaged in the industry.

7. *Broadcast Technician,* as used herein, means any person employed for the operation or maintenance of any transmitting, control or input equipment used in radio broadcasting.

8. *Act* and *Administrator,* as used herein, mean respectively Title I of the National Industrial Recovery Act and the Administrator for Industrial Recovery.

ARTICLE III

Hours

1. No employee shall be permitted to work in excess of forty hours in any one week, except those included in the classes enumerated in paragraph number two hereof.

2. The maximum hours fixed in the foregoing paragraph number one shall not apply to:

(*a*) Employees in a managerial or executive capacity (including announcers, production men and chief operators) who receive more than thirty-five dollars per week; employees in a managerial or executive capacity (including announcers, production men and chief operators) who receive more than twenty-five dollars per week in radio broadcasting stations in which on July 1, 1933, not more than ten persons were regularly employed.

(*b*) Outside salesmen.

(*c*) Employees on emergency maintenance and emergency repair work, but at least one and one-half times the normal rate shall be paid such employees for hours worked in excess of the maximum hours provided in Section 1 of this article.

(*d*) *Broadcast Technicians,* with respect to whom the maximum hours of work shall not exceed forty-eight hours per week.

(*e*) Persons employed on special event programs of public interest, with respect to whom the maximum hours of work shall not exceed the number of hours herein prescribed for their class of work averaged over any six weeks' period.

ARTICLE IV

Wages

1. No employee, except those enumerated in paragraphs (*a*), (*b*) and (*c*) hereof shall be paid at less than the weekly rate of

fifteen dollars per week in any city of over 500,000 population or in the immediate retail trade area of such city; or at less than the rate of fourteen dollars and fifty cents per week in any city of between 250,000 and 500,000 population or in the immediate retail trade area of such city; or at less than the rate of fourteen dollars per week in any city of between 2,500 and 250,000 population or in the immediate retail trade area of such city; or at less than the rate of twelve dollars per week in any town or place of less than 2,500 population. Population for the purpose of this Code shall be determined by the 1930 Federal Census.

(*a*) Broadcast operators and control men shall be paid at a rate of not less than forty dollars per week when they are employed at any radio broadcasting station classified by the Federal Radio Commission as a clear channel or high-power regional station; or at a rate of not less than thirty dollars per week when they are employed at any broadcasting station classified by the Federal Radio Commission as a clear channel part-time or low-power regional station, unless such station on July 1, 1933, regularly employed not more than three broadcast operators and control men, in which case the rate of pay shall be not less than twenty dollars per week; and at a rate of not less than twenty dollars per week at any broadcasting station classified by the Federal Radio Commission as a low-power part-time regional, local unlimited, or local part-time station. Employers shall be entitled to employ as apprentices persons learning the technique of radio broadcasting control and transmission. Such apprenticeship within the industry shall not exceed a cumulative period of twelve months. The number of persons so employed, if more than one, shall not exceed five per cent of the total number of regular employees of each employer. The rate of pay of apprentices shall be not less than twelve dollars per week.

(*b*) Announcers and program production employees shall be paid at a rate of not less than $20 per week, except that where a broadcaster regularly employed not more than ten persons on July 1, 1933, such announcers and program production employees may be paid not less than $15 per week.

(*c*) The minimum rate of pay herein provided shall not apply to outside salesmen working on commission only.

2. Employers agree not to reduce the compensation for employment now in excess of the minimum wages hereby agreed to (notwithstanding that the hours worked in such employment may be hereby reduced) and to increase the pay for such employment by an equitable readjustment of all pay schedules. Where a State law provides a higher minimum wage than is provided in this Code, no person employed within that State shall be paid a wage below that required by such State law.

ARTICLE V

General Labor Provisions

1. After the effective date of this Code, employers will not employ any person under sixteen years of age, except that persons under sixteen may be used as talent on programs for not more than three hours per day, and those hours to be such as will not interfere with their schooling. Provided, however, that where a State law provides a higher minimum age, such State law shall be controlling.

2. Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization, or in other concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

3. No employee and no one seeking employment shall be required as a condition of employment to join any company union, or to refrain from joining, organizing, or assisting a labor organization of his own choosing.

4. Employers shall comply with maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

5. Working conditions in any broadcasting station or network shall not be changed to frustrate the intent and purpose of this Code. Where on November 1, 1933, any broadcaster paid broadcast technicians wages in excess of the minimum herein provided for or worked such employees a lesser number of hours per week than herein permitted, such higher wages and such lesser number of hours shall be deemed to be and are hereby declared to be the minimum scale of wages and maximum number of hours with respect to such stations.

6. Nothing herein contained shall be construed to apply to employees whose rates of wages, hours, and/or weekly full time wages are established by labor agreement, understandings or practices now in force, where such minimum rates of pay are higher and the maximum number of hours per week are lower than those set forth herein above.

7. All employers shall post complete copies of this Code in conspicuous places accessible to employees.

ARTICLE VI

Administration

To further effectuate the policies of the Act, a Code Authority is hereby constituted to cooperate with the Administrator in the administration of this Code.

1. The Code Authority shall consist of James W. Baldwin, Isaac Z. Buckwalter, John Elmer, James Kiernan, Alfred J. McCosker, Edward N. Nockels, M. R. Runyon, Frank M. Russell, John Shepard, III, and in addition thereto there may be three members without vote to be appointed by the Administrator, who, together with the Administrator, shall be given notice of and may sit at all meetings of the Code Authority.

2. In order that the Code Authority shall at all times be truly representative of the industry and in other respects comply with the provisions of the Act, the Administrator may provide such hearings as he may deem proper; and thereafter if he shall find that the Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Code Authority.

3. The Code Authority shall investigate the hours of labor and the wages of radio artists and performers (other than musicians), and upon the completion of its investigation shall report thereon to the Administrator.

4. The Code Authority shall investigate the hours of labor, wages, and working conditions of broadcast technicians and the relation thereof to general conditions within the industry, and within a period of ninety days from the effective date of this Code, shall report thereon to the Administrator.

5. As and when any question directly or indirectly affecting any class of employees engaged in the Radio Broadcasting Industry is to be considered by the Code Authority, one representative of such class, selected by the Administrator from nominations made by such class in such manner as may be prescribed by the Administrator, shall sit with and become for such purposes a member of the Code Authority with a right to vote.

6. In addition to information required to be submitted to the Code Authority there shall be furnished such statistical information as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the National Industrial Recovery Act.

7. The Code Authority shall recommend to the Administrator a permanent form of organization for the administration of this Code.

8. Members of the broadcasting industry shall be entitled to participate in and share the benefits of the activities of the Code Authority and to participate in the selection of the members thereof by assenting to and complying with the requirements of this Code and sustaining their reasonable share of the expenses of its administration. Such reasonable share of the expenses of administration shall be determined by the Code Authority, subject to review by the Administrator, on the basis of volume of business and/or such other factors as may be deemed equitable.

9. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose. Nor shall any member of the Code Authority be liable in any manner to anyone for any act of any other member, officer, agent or employee of the Code Authority exercising reasonable diligence in the conduct of his duties hereunder or be liable to anyone for any action or omission to act under the Code, except for his own willful misfeasance or non-feasanse.

10. The Code Authority shall have the following powers and duties in addition to those elsewhere provided in this Code, subject to the right of the Administrator, on review, to disapprove or modify any action taken by the Code Authority.

(*a*) To adopt by-laws and rules and regulations for its procedure and for the administration and enforcement of the Code, in accordance with the powers herein granted, and to submit the same to the Administrator for his approval together with true copies of any amendments or additions when made thereto, minutes of meetings when held, and such other information as to its activities as the Administrator may deem necessary to effect the purposes of the Act.

(*b*) To obtain from members of the industry for use of the Code Authority, for the Administrator in the administration and enforcement of the Code, and for the information of the President, reports based on such periods as may be determined by the Code Authority as soon as the necessary readjustment within the industry can be made and to give assistance to members of the industry in improving methods, or in prescribing a uniform system, of accounting and reporting. All individual reports shall be kept confidential as to the members of the industry and only general summaries thereof may be published.

(*c*) To receive complaints of violations of this Code, make investigations thereof, provide hearings thereon and adjust such complaints, and bring to the attention of the Administrator for prosecution, recommendations, and information relative to unadjusted violations in no event shall the Code Authority proceed to prosecute without notice to and approval by the Administrator.

(*d*) To use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein and to pay such trade associations and agencies the cost thereof, provided that nothing herein shall relieve the Code Authority of its duties or responsibilities under this Code and that such trade associations and agencies shall at all times be subject to and comply with the provisions hereof.

(*e*) To coordinate the administration of this Code with such other codes, if any, as may be related to the industry, or any subdivision thereof, and to delegate to any other administrative authority, with the approval of the Administrator, such powers as will promote joint and harmonious action upon matters of common interest.

(*f*) To secure an equitable and proportionate payment of the expenses of maintaining the Code Authority and its activities from members of the Industry.

(*g*) To cooperate with the Administrator in regulating the use of the N. R. A. Code Insignia solely by those employers who have assented to, and are complying with this Code.

(*h*) Where the operations of the provisions of this Code impose an unusual or undue hardship upon any broadcaster or network such broadcaster or network may make application for relief to the Administrator or to his duly authorized agent, and the Administrator or his agent may, after such public notice and hearing as he may deem necessary, grant such exception to or modification of the provisions of this Code as may be required to effectuate the purpose of the National Industrial Recovery Act.

(*i*) To initiate, consider and make recommendations for the modification or amendment of this Code.

11. An appeal from any action by the Code Authority affecting the rights of any employer or employee in the Industry may be taken to the Administrator.

ARTICLE VII

Trade Practices

1. *Rates, Commissions and Discounts.*

(*a*) Each broadcaster and network shall forthwith publish and file with the Code Authority a schedule of all its rates regularly and currently charged to advertisers for the use of broadcasting time, together with all discounts, rebates, refunds and commissions which shall be allowed to the users of such time or to their recognized agents, such schedule to be known as the Rate Card. No Rate Card or rate charged thereunder shall be modified until fifteen days after the filing with the Code Authority of the Rate Card with the proposed modifications. Charges for the use of broadcasting time, and discounts, rebates, refunds and commissions allowed to the users of such time or their recognized agents shall be in exact accordance with such Rate Card except that under conditions not specifically covered by the Rate Card, charges for the use of broadcasting time may be at special rates provided a full written statement of such special rates and conditions is filed immediately with the Code Authority, which authority shall be authorized to publish such statement in full. In no event shall modifications of the Rate Card, special rates or special conditions violate any of the terms of this Code.

(*b*) Any attempt to evade the provisions of this Code through the offer or payment of excessive or unearned commissions, discounts, rebates, refunds, gratuities, or free time (other than legitimate program announcements) and any business done on a cost per-inquiry, contingent, or percentage basis shall be deemed unfair trade practice within the meaning of the Code.

2. *Special Services and Facilities.*

(*a*) No broadcaster or network shall supply for commercial programs special technical facilities, including outside pickups or wire lines, at less than the actual cost to it of such special services or facilities unless a full written report is filed immediately with the Code Authority, and in no event shall such facilities be supplied below cost for the purpose of evading the provisions of this Code.

3. *Sales of Talent. Literary and Musical Rights. Recordings, etc.*

(*a*) No broadcaster or network shall sell or furnish for commercial programs, talent or special recordings, or literary or musical rights of any sort, not provided for in the Rate Card, at less than the actual cost to the broadcaster or network of such talent or special recordings, or literary or musical rights, unless a full written statement of such sale below cost is filed immediately with the Code Authority, and in no event shall such sale below cost be for the purpose of evading the provisions of this Code.

4. *General Provisions.*

(*a*) This Code shall apply to all contracts made on or after the date on which this Code becomes effective and after that date shall apply to all renewals or extensions made of contracts made prior thereto unless there is vested in a party other than the broadcaster or network a right to renew or extend the then-existing contract.

(*b*) No broadcaster or network shall defame or disparage a competitor, directly or indirectly, by words or acts which untruthfully call in question such competitor's business integrity, ability to perform contracts, credit standing, or quality of service.

(*c*) No broadcaster or network shall claim for its service a character, scope or quality which cannot be substantiated, nor shall it claim as regular characteristics of its service features which it knows to be purely temporary or accidental.

(*d*) No broadcaster or network shall accept or knowingly permit any performer, singer, musician, or orchestra leader regularly employed by such broadcaster or network to accept any money, gift, bonus, refund, rebate royalty service, favor or any other thing or act of value from any music publisher, composer, author, copyright owner or the agents or assignees of any such persons for performing or having performed any musical or other composition for any broadcaster or network when the purpose is to induce such persons to sing, play, or perform, or to have sung, played, or performed any such works.

(*e*) No broadcaster or network shall knowingly permit the broadcasting of any advertisement of, or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes.

(*f*) Where a station or network is broadcasting a sustaining program utilizing the services of any band or orchestra, it shall be deemed an unfair practice under this Code to make any commercial announcement advertising any commodity either before, during or after the program the effect of which is to create falsely the impression that the music is furnished or paid for by any persons or firm other than the actual employer of such band or orchestra.

(*g*) It shall be considered an unfair trade practice under this Code for any station or network to destroy fair competition among bands or orchestras by causing booking offices, artist bureaus or agents to demand that any hotel, night club, restaurant or similar establishment employ any specific band or orchestra.

(*h*) It shall be considered an unfair trade practice under this Code for any broadcaster to broadcast without being duly authorized by the United States Government.

(*i*) No broadcaster or network shall use any subterfuge to frustrate the spiirt and intent of this Code, and the violation of any of the provisions of this Article VII of this Code shall be deemed an unfair trade practice.

ARTICLE VIII

Modification

1. The President of the United States may, from time to time, cancel or modify any order, approval, license, rule or regulation issued under Title I of the Act.

2. Nothing in this Code, however, shall be construed as authorizing or consenting to the imposition of any requirement which is in conflict with the Radio Act of 1927, as amended, or the rules and regulations promulgated thereunder.

ARTICLE IX

Monopolies, etc.

No provision of this Code shall be so applied as to permit monopolies or monopolistic practices, or to eliminate, oppress or discriminate against small enterprises.

ARTICLE X

Effective Date

This Code shall become effective on the second Monday after its approval by the President.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Vol. 1 - - No. 47
DEC. 2, 1933

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CODE AUTHORITY MEETS DECEMBER 11

The Code Authority will hold its first meeting December 11, at the Mayflower Hotel, in Washington. Notices of the meeting were sent out by the Managing Director. The meeting is called for purposes of organization and the transaction of such business as may be presented for action.

WMBR MOVE RECOMMENDED

Application was made to the Radio Commission to assign the license of Station WMBR from F. J. Reynolds to F. J. Reynolds, Inc., and to move the station from Tampa to Jacksonville, Fla. In his Report No. 526 this week Ralph L. Walker, e., recommended that these applications be granted.

In his report the Examiner found that the granting of the authority to move the station as requested will permit it to serve a larger number of people in a locality which has limited radio service and to improve its programs. He found also that the proposed assignee is qualified to operate the station, and the assignment of license reports no change in control, management, or manner of operation of the station.

RECOMMENDS INCREASED TIME FOR WGNY

Station WGNY, Chester, N. Y., operating on a frequency of 1210 kilocycles with specified hours, applied to the Commission for time sharing equally with Stations WJBI, WFAS, and WGBB. In his Report No. 525 this week George H. Hill, e., recommended that the application be granted.

The Examiner found that the granting of the application "will not result in interference with any existing service" and "that there is a need for the service requested." He further found that the applicant is qualified in all ways to use "the additional hours of operation in the public interest."

KFOR GRANTED LICENSE RENEWAL

The Radio Commission on Friday upheld Examiner Ralph L. Walker in his Report No. 513 by denying Raymond M. Brannon a construction permit for a new broadcasting station to be erected at Fremont, Nebr., to use 1500 kilocycles, and granted Station KFOR, Lincoln, Nebr., a license renewal.

In this decision the Commission found that Mr. Brannon "has not shown that he has adequate capital or financial ability to establish and operate the proposed station in such manner as to serve the public interest." It was further found that there is not sufficient need for broadcasting service in the area he proposed to cover. The Commission found that the renewal of the license of Station KFOR would serve the public interest.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Alamo Petroleum Corporation, Jersey City, N. J. (2-450)
Camden Rail & Harbor Terminal Corporation, Camden, N. J. (2-447)
Commonwealth Apartments, Inc., Cedar Rapids, Iowa. (2-452)
Commonwealth Apartments, Inc., Cedar Rapids, Iowa. (2-453)
General Banknote Engineering Co., Inc., New Rochelle, N. Y. (2-448)
Stanton C. Peelle and Others, Washington, D. C. (2-451)
Southern Breweries, Inc., Norfolk, Va. (2-454)
Sugar Pine Lumber Company, Pinedale, Calif. (2-449)
Texas Consumers Water Company, Fort Worth, Tex. (2-446)

KANSAS BILL KILLED

The Emergency Sales Tax Act of 1933, Senate Bill No. 164-X, introduced last month at the Special Session of the Kansas Legislature, after having been reported favorably on November 23rd, was on November 24th stricken from the calendar. This bill was the one which would have taxed sales of service in radiocasting at five per cent.

FEDERAL RADIO COMMISSION ACTION
HEARING CALENDAR

Monday, December 4, 1933

NEW—Herbert H. Fette, Meriden, Minn.—C. P., **1310 kc.**, 100 watts, daytime (facilities of KGDE).

KGDE—Charles L. Jaren, Fergus Falls, Minn.—Renewal, **1200 kc.**, 100 watts, 250 watts LS, unlimited time.

Tuesday, December 5, 1933

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Modification of license, **1300 kc.**, 1 KW, unlimited time. Present assignment, **1300 kc.**, 1 KW, shares with KGEF.

Wednesday, December 6, 1933

Oral Argument Before Commission en banc

KFPY—Symonds Broadcasting Co., Spokane, Wash.—Modification of license, **890 kc.**, 1 KW, unlimited time. Present assignment, **1340 kc.**, 1 KW, unlimited time.

KSEI—Radio Service Corporation, Pocatello, Idaho—Modification of license, **890 kc.**, 250 watts, unlimited time. Present assignment, **900 kc.**, 250 watts, unlimited time.

KSEI—Radio Service Corporation, Pocatello, Idaho—Modification of C. P., **890 kc.**, 250 watts, 500 watts LS, unlimited time. Present assignment under C. P., **900 kc.**, 250 watts, 500 watts LS, unlimited time.

NEW—Chas. W. Phelan, tr. as Casco Bay Broadcasting Co., Portland, Me.—C. P., **1340 kc.**, 500 watts, unlimited time.

NEW—Portland Maine Publishing Co., Portland, Me.—C. P., **1340 kc.**, 500 watts, unlimited time.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—C. P., **1340 kc.**, 1 KW, specified hours. Present assignment, **1370 kc.**, 100 watts, specified hours.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification C. P., **1340 kc.**, 500 watts, unlimited time. Present assignment under C. P. (on experimental basis), **1430 kc.**, 500 watts, unlimited time.

WRDO—WRDO, Inc., Augusta, Me.—C. P. to move station to Portland, Me.; **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Granted extension to February 1, 1934, of special experimental authority to operate synchronously with WJZ on **760 kc.**, with 2½ KW, when WTIC is operating on **1060 kc.**

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate from 11 a. m. to 1 p. m., EST, November 30, 1933.

Second Zone

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted authority to operate auxiliary transmitter at present location from December 15 to January 15, while moving main transmitter.

Third Zone

WACO—Central Texas Broadcasting Co., Waco, Tex.—Granted authority to operate from 2 to 5 p. m. on December 2, 1933, to broadcast football game.

Fourth Zone

WEBC—Head of the Lakes Broadcasting Co., Superior, Wis.—Granted extension of authority to use auxiliary transmitter to December 15, while erecting a new radiator.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted license covering local move of transmitter; **560 kc.**, 1 KW, unlimited time.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate from 12:30 to 2 p. m., CST, on Thursday, November 30, provided KFDY remains silent.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authority to operate from 9 p. m. to 12 midnight, CST, on December 1, 8, 10, 13, 15, 18, 21, 22, and 29, 1933.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted special temporary authority to operate from 8 p. m. to 12 midnight, CST, on Friday, December 1, 1933.

Fifth Zone

None.

MISCELLANEOUS

WDBJ—Times World Corp., Roanoke, Va.—Suspended grant made October 27, 1933, increasing night power from 250 to 500 watts, and set for hearing application for modification of license because of protest of Havens & Martin, Inc. (WMBG), Richmond, Va., filed November 9, 1933.

APPLICATIONS RECEIVED

First Zone

NEW—The Northern Corporation, Chelsea, Mass.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, and unlimited time (facilities WLOE, Boston, Mass.).

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Special experimental authority to operate simultaneously with KTHS on **1060 kc.** with power of 10 kilowatts until local sunset at Hot Springs, at which time KTHS will suspend operation until 8 p. m., CST, and WBAL will continue operation on **1060 kc.** each day until 9 p. m., EST, at which time WBAL will synchronize with WJZ on **760 kc.**, 2½ KW power until suspension of broadcasting for that day.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Special experimental authority to operate simultaneously with KRLD (unlimited) on **1040 kc.**

WBNX—The Standard Cahill Co., Inc., New York, N. Y.—Construction permit to make changes in equipment and move main studio from 101 Park Ave. to 260 East 161st St., New York, N. Y.

Second Zone

WLIT—Lit Brothers Broadcasting System, Inc., Philadelphia, Pa.—Special experimental authority to increase power from 500 watts to 1 KW.

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Special experimental authority to increase power from 500 watts to 1 KW.

Third Zone

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Special experimental authority to operate simultaneously with WBAL on **1060 kc.** with power of 10 KW until local sunset, at which time KTHS will suspend operation until 8 p. m., CST, when it will resume operation on the same frequency (**1060 kc.**) for the remainder of the broadcast day.

WMC—WMC, Inc., Memphis, Tenn.—Construction permit to install new equipment, move main studio from 139 South Main St., Memphis, Tenn., to U. S. Highway No. 51, Frankstown, Miss., and increase power from 500 watts night, 1 KW day, to 1 KW night, 2½ KW day.

KRLD—KRLD Radio Corp., Dallas, Tex.—Special experimental authority to operate simultaneously with WTIC (unlimited) on **1040 kc.**

KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Modification of construction permit granted 2-24-33 to move, install new equipment, power 100 watts, to extend date of completion from 11-1-33 to 12-1-33.

WKBC—R. B. Broyles, tr. as R. B. Broyles Furniture Co., Birmingham, Ala.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

NEW—The Texas Frontier Broadcasting Co., P. R. Halleron, Vic Gallagher, Marfa, Tex.—Construction permit to erect a new station to operate on **1210 kc.**, 100 watts, unlimited time.

Fourth Zone

WKBB—Sanders Brothers Radio Station, East Dubuque, Ill.—Modification of license to make a change in the specified hours of operation.

KGBZ—Dr. Geo. R. Miller, York, Nebr.—Consent to voluntary assignment of license to KGBZ Broadcasting Co. (a corporation).

WKBV—Wm. O. Knox, tr. as Knox Battery and Electric Co., Richmond, Ind.—License to cover construction permit granted 8-15-33 to make changes in equipment and move station from Connersville, Ind., to Richmond, Ind.

Fifth Zone

None.

APPLICATIONS RETURNED

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of license to increase power from 1 KW night, 2½ KW day, to 2½ KW night, 5 KW day, on experimental basis (request of applicant).

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of license to increase power from 1 KW night, 2½ KW day, to 2½ KW night, 5 KW day (request of applicant).

CALL LETTERS CHANGED DURING WEEK OF NOVEMBER 20

KOCW—Chickasha, Okla.—Changed to KTUL.

WSYR-WMAC—Syracuse, N. Y.—Changed to WSYR-WSYU.

CALL BOOK SUPPLEMENT, NOVEMBER 1, 1933

Freq.	*Call Letters*	*Studio Location*	*Alterations and Corrections*
600 kc.	WICC	Bridgeport, Conn.	Quota units, 0.49.
600 kc.	WCAC	Storrs, Conn.	Quota units, 0.01.
780 kc.	WMC	Memphis, Tenn.	Licensee, WMC, Inc.
890 kc.	WILL	Urbana, Ill.	Power 1 KW-LS, quota units 0.25.
930 kc.	WDBJ	Roanoke, Va.	Power 500 w., quota units 0.6.
930 kc.	KROW	Oakland, Calif.	C. P. T-Oakland.
930 kc.	WIBG	Glenside, Pa.	Power 100 w., frequency 970 kc.
1020 kc.	KYW	Chicago, Ill.	C. P. T-Whitemarsh Twp., Pa.; studio, Philadelphia, Pa.
1020 kc.	WRAX	Philadelphia, Pa.	C. P. power 250 w., 500 w. LS, frequency 920 kc., S-WPEN, quota units 0.25.
1200 kc.	KSUN	Lowell, Ariz.	C. P. covered by license.
1200 kc.	WKJC	Lancaster, Pa.	Call letters WCOD changed to WKBO.
1200 kc.	WCOD	Harrisburg, Pa.	Call letters changed to WKBO.
1210 kc.	KWEA	Shreveport, La.	C. P. covered by license. Licensee, International Broadcasting Corp.
1210 kc.	WKFI	Greenville, Miss.	C. P. to move T and studio to Greenwood.
1210 kc.	WLCI	Ithaca, N. Y.	Strike out all particulars.
1250 kc.	WRHM	Minneapolis, Minn.	Quota units, 0.86.
1250 kc.	WCAL	Northfield, Minn.	Quota units, 0.07.
1310 kc.	WLBC	Muncie, Ind.	C. P. power 100 w.-LS.
1320 kc.	WSMB	New Orleans, La.	C. P. T-Algiers, La.
1370 kc.	WIBM	Jackson, Mich.	Quota units, 0.13.
1400 kc.	WARD	Brooklyn, N. Y.	Call letters WFOX changed to WVFW.
1400 kc.	WFOX	Brooklyn, N. Y.	Call letters changed to WVFW.
1400 kc.	WLTH	Brooklyn, N. Y.	Call letters WFOX changed to WVFW.
1400 kc.	WBBC	Brooklyn, N. Y.	Call letters WFOX changed to WVFW.
1420 kc.	KGIW	Trinidad, Colo.	T and studio, Alamosa.
1420 kc.	WNRA	Florence, Ala.	T and studio, Muscle Shoals City.
1500 kc.	WPEN	Philadelphia, Pa.	C. P. power 250 w., 500 w. LS, frequency 920 kc., S-WRAX, quota units 0.25.
1500 kc.	WKEU	LaGrange, Ga.	Licensee, Radio Station WKEU.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

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DEC. 9, 1933

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HEARINGS ON TUGWELL BILL CONCLUDED

Hearings on the so-called Tugwell bill (S. 1194) to revise and extend the laws governing the manufacture and sale of foods and drugs were begun Thursday, December 7, and concluded on Friday, December 8. The hearing was held before a sub-committee of the Committee on Commerce headed by Senator Royal S. Copeland of New York and including Senators McNary of Oregon and Caraway of Arkansas.

The first day was used primarily in the taking of testimony in support of the bill. Walter G. Campbell, director of regulatory work of the Department of Agriculture, was the chief witness for the Government. He was preceded by Secretary of Agriculture Wallace.

Mr. Campbell claimed that the new law was necessary because the existing statute was ineffective insofar as it relates to many products which reached the markets since the enactment of the 1906 law; that the old law did not cover statements or representations made about an article; and that it was essential that there be a prohibition against false and misleading statements made in the form of advertising. Chief among the supporters of the measure were Professors Emerson of Columbia University; Henderson of Yale; Freeman of Johns Hopkins; and representatives of the American Federation of Labor and the American Home Economics Association.

James W. Baldwin appeared for the Legislative Committee of the NAB and presented a brief pointing out specific objections to the bill in line with the resolution adopted by the NAB at its White Sulphur Springs convention. The portion of the brief relating to specific objections in the bill is as follows:

"1. The definition of 'advertisement' on page 3, lines 15-17, is so broad as to include 'all representations of fact or opinion disseminated in any manner or by any means.'

"Such a definition of advertising appears absolutely unworkable. An expression of 'fact or opinion disseminated in any manner' covers practically every spoken, written or printed word. With such a definition, the prohibitions contained in Section 17, sub-sections (3) and (4) (page 23, lines 15-21) would apply even to the simplest oral statement.

"Such a definition of advertising, if established by Congressional enactment, would go far beyond the scope of the pending legislation. It would, in effect, place formidable barriers around the right of free speech. Within the field specifically covered by these bills, it would render any statement dangerous, unless such statement were based on an intimate and complete knowledge of scientific data.

"Under so extraordinarily broad a definition of advertising, and with the prohibitory provisions of this bill, there is hardly an advertisement of any food product, drug or cosmetic appearing in our newspapers or magazines, or broadcast from our radio stations, which is not at least open to attack. If such a definition is permitted to stand, there is scarcely a legitimate advertiser in this entire field who can feel himself reasonably secure from legal action, particularly since such action may and doubtless will be instigated in large measure by his competitors.

"2. Section 9 (from page 12, line 20, through page 14, line 18) declares, in substance, that any advertisement of a food, drug, or cosmetic 'shall be deemed to be false if in any particular it is untrue, or by ambiguity or inference creates a misleading impression.'

"The broadcasters have no desire to enter into the argument concerning self-medication, with which this section is extensively concerned. They do, however, desire to point out three things:

"(a) The phrase 'if in any particular it is untrue' involves the setting up of an absolute standard of truth which, in the ordinary affairs of human life, is utterly unattainable. One may, in this connection, aptly quote Pilate's 'What is Truth?' There is no piece of advertising copy in existence, no newspaper report, no public document, which could wholly meet such a requirement as this. Of course it will be urged that this phrase is not to be taken too literally, but a law that cannot be taken literally is a dangerous and bad law.

"(b) The phrase 'by ambiguity or inference creates a misleading impression' is just as dangerous as the phrase commented on in the preceding paragraph. How is the 'impression' created by any given piece of advertising copy to be determined? What is meant by 'misleading'? Even the most accurate and careful statement of facts, whether contained in an advertisement or in any other form of communication to the public, is subject to misinterpretation. A court has trouble enough in determining the correctness of a statement of facts; no one can even guess what would happen if it were called upon to determine legally the 'impressions' created by 'inference.' Such a provision is a direct blow at all legitimate advertising. It would, if applied literally, threaten virtually every piece of advertising copy in the food, drug and cosmetic field. If not applied literally, it would create a complete chaos of uncertainty.

"(c) The provision that an advertisement of a drug shall be deemed to be false 'if it includes the name of any disease for which the drug is not a specific cure but is a palliative' involves what appears to the layman to be a perfectly hopeless confusion of opinion. The 'cure' of today is the 'palliative' of tomorrow. Most people believe, for example, that aspirin 'cures' headaches because it frequently stops them, but the headache itself may be merely the symptom of an ailment which the drug cannot affect. The use of such words as 'cure' and 'palliative' in legislation is certain to create endless confusion, because the words themselves are of such variable meaning.

"3. Section 15 (from page 19, line 1, through page 20, line 11) directs each United States attorney 'to cause appropriate proceedings to be instituted in the proper courts of the United States.' This throws the initial determination of what constitutes unlawful advertising into a multiplicity of courts of presumably equal authority, resulting inevitably in hopeless confusion. An advertisement might and doubtless would be held truthful, and hence legal, in one court, and untruthful, and hence illegal, in another of like authority. It seems utterly impossible to avoid disastrous confusion unless the determination of what is and what is not permissible under the law is handled by a single judicial tribunal. This applies particularly to advertising which is interstate in character, and therefore is of special significance to the broadcaster.

"4. Section 19 (page 26, lines 11-25) gives to the district courts of the United States power to restrain by injunction the 'repetitious dissemination by radio broadcasting * * * of false advertising.' Here again, as in Section 15, confusion is inevitable as a result of action by a multiplicity of courts. An advertisement may be found to be illegal in one court, legal in another, and summarily shut off by injunction in a third where the case has never actually been heard at all. Even the successful defense in court of an advertising statement will not afford full protection, because some other court may rule differently, thereby furnishing the basis for injunctions throughout the country. Unless there is set up a single tribunal with full authority for the entire nation, subject only to the usual rights of appeal, this provision regarding injunctions is bound to give rise to vast confusion and manifold injustices.

"It will be noted that the foregoing four specific criticisms of the bill fall into two groups. One (Points 1 and 2) concerns what seems to be the impossibility of defining accurately enough for legal purposes what is meant by 'truth' in advertising. It may be said that the broadcasters regard this defect in the proposed bill as fundamental, and that they can see no practicable way of extending the scope of such a bill beyond the deliberate misstatement of specific facts. Manifestly, an advertisement should not be permitted to state that the ingredients of a certain drug are so-and-so, when the manufacturer knows that in fact they are something else. When, however, legislation seeks to control the expression of opinion, or to set up a standard of absolute truth that is quite beyond the reach of the human mind, it is making the violation of its provisions inevitable and universal. A strict interpretation of the bill as it stands would destroy the entire advertising business of the United States; a liberal (i.e., lax) interpretation would lead to hopeless confusion.

"The second group of criticisms (Points 3 and 4) concerns the proposed administration of the bill. The primary object of any such legislation should be the protection of the public by making clear to advertisers what they may and may not legally do. The method of administration here set up appears completely to defeat this purpose.

"Although reference has here been made to specific sections of the proposed bill, the objections raised to these sections apply likewise, though less directly, to other features of it, and therefore it is on the broad, general grounds herein outlined that the Broadcasting Industry has recorded itself as protesting against the enactment of the legislation unless on the basis of many and far-reaching changes therein."

John Benson, president of the A. A. A. A., appeared in opposition to the bill arguing that advertising was salesmanship in print and that a continuance of a reasonable amount of puffing should be permitted.

Among those opposing the bill were Dr. J. H. Beal of Florida, chairman of a committee of drug trade officials and representatives of Squibb Drug Co., the confectioners, proprietaries, retail druggists, New York Board of Trade, Association of National Advertisers, Associated Manufacturers of Cosmetics, National Editorial Association, U. S. Medicine Manufacturers, Drug Institute of America and the National Canners Association.

The argument in favor of the bill was closed by Professor David A. Cavers of Duke University who assisted Professor Tugwell in the drafting of the bill.

After repeated attacks upon the bill that it was inconsistent with the spirit of the NRA, a representative of the Consumers Board and a representative of the Department of Labor appeared to refute such statements.

A large number of amendments were submitted and these will receive consideration of the sub-committee before reporting the measure to the full committee. It is expected that the full committee will report the measure in amended form to the Senate early in January.

NRA RADIO CODE EFFECTIVE MONDAY

The Code of Fair Competition for the Broadcasting Industry becomes operative on Monday, December 11, and the operations of all stations throughout the country become subject to its provisions.

Official prints of the code became available on Thursday and copies were sent to all stations. In addition, NAB members will be sent a copy of the National Industrial Recovery Act and a copy of the code suitably punched for insertion in the NAB Handbook. It is expected that the Code Authority will issue its general rulings in printed form and that these likewise will be punched in a similar manner.

The Code Authority appointed by President Roosevelt to administer the code until such time as the industry places itself in a position to regulate itself by broadening the membership of the NAB, will hold its first official meeting on December 11 in Washington. The first order of business will be the election of a chairman, vice chairman and a director to carry on the administrative work in connection with the code. Attention also will be given to the investigations which the Code Authority is required to undertake under the code.

Just as soon as the Code Authority is organized it will consider petitions for exceptions which have already been filed.

SUPREME COURT REFUSES KFAB REVIEW

The Supreme Court of the United States on Monday, December 4, refused to review the KFAB libel case. The refusal was based on jurisdictional grounds. The case involved the liability of a broadcasting station for defamatory matter uttered in the course of an address delivered on behalf of a duly qualified candidate for public office. The Supreme Court of Nebraska held that Station KFAB, Lincoln, Nebr., was liable for utterances made by a speaker in the course of a political address, reversing the lower court which had held the station not liable. The station had alleged that it was not liable because Section 18 of the Radio Act of 1927 expressly prohibited censorship of political speeches. The refusal of the Supreme Court of the United States to review the Nebraska Supreme Court's decision leaves the latter decision as the law within the state of Nebraska.

The Supreme Court of the United States announced its refusal to review the case without a written opinion.

ROPER COMMITTEE FINISHES TASK

The Interdepartmental Committee on Communications under the chairmanship of Secretary of Commerce Roper has completed its study and will transmit its report to the President within the next few days. The report was in the hands of the chairman on Friday, December 8.

The recommendations contained in the report have not been made public and it is not known at this time whether or not the President will utilize the report in making recommendations to the Congress.

Whether the President will ask the Congress for legislation relating to radio, telephones, telegraphs and cables is not known although it is reliably reported at this time that the President has not given serious consideration to such a request.

NEW DUES SCHEDULE JANUARY 1

The new schedule of NAB dues, adopted at the White Sulphur Springs convention of the Association, becomes effective on January 1, 1934. The new By-Law No. 1, as adopted by the Association, reads as follows:

"(a) After January 1, 1934, the monthly dues of the members of this Association shall be at the rate of two-tenths of one per cent of net sales of broadcasting facilities during the last previous month; provided, however, that no member shall pay less than $2.50 per month. Dues shall be payable on or before the fifteenth of each month and shall be accompanied by a certified statement of the net sales of broadcasting facilities during the preceding month.

"(b) The annual dues of members of this Association who do not own or operate radio broadcasting stations shall be at the rate of two hundred and fifty dollars per year, payable quarterly in advance."

The above By-Law was drafted in accordance with the resolution adopted at the St. Louis Convention and was adopted after discussion during the White Sulphur Springs meeting.

In line with the new provision the Managing Director will send to each member a form of statement to be filled in by the member instead of a bill as has been the practice. January dues will be based upon December business.

The practice of basing dues upon volume of business has been followed by many successful trade organizations and now finds support in the standard provision required in all NRA codes. Article VI, Section 8 of Code of Fair Competition for the Broadcasting Industry, which is a standard form of provision insisted upon by the NRA, sanctions the method of assessing dues adopted by the NAB.

DEPRECIATION RATES FOR TAX PURPOSES

Following the recent conference between officials of the Internal Revenue Bureau and E. M. Elkin, chairman of the NAB Tax Committee, and Managing Director Loucks, Deputy Commissioner Charles T. Russell of the Bureau has requested from the NAB certain data and information to assist it in determining rates of depreciation allowable for income tax purposes upon buildings and equipment of radio broadcasting stations.

The NAB has agreed to assist the Bureau in collecting this information and the NAB Tax Committee will hold a meeting for this purpose at an early date. The meeting will be open to all members who will furnish helpful information.

In the Bureau's communication to the NAB the following data is requested:

"1. A statement showing the various groups or classes of equipment which have approximately the same length of serviceable life, and the relative amount or the percentage that the cost bears to the total cost of equipment in use in the 'average' station.

Such facts as have been presented this office indicate that this equipment may be divided into four groups, viz., studio apparatus, speech in-put, transmitter equipment, and antenna equipment not including towers, but if in your opinion a different grouping is advisable, or if subdivisions should be made of any of these groups, your opinions on these questions will be appreciated.

"2. If, in your opinion, the serviceable life of the buildings occupied as radio broadcasting stations will be either greater or less than the life of buildings of the same types of construction in other industries, such facts as will establish the correctness of that opinion should be presented, keeping in mind, however, the fact that unusual conditions which affect individual stations cannot be given consideration in the proposed general basis unless such unusual conditions are shown to apply to buildings of radio broadcasting stations in general, and also keeping in mind the question of whether discontinuance of the use of a building for broadcasting purposes will result in a total loss of the investment in the building or whether such an 'average' building may be used for other purposes.

"3. The estimated *physical* life of each class of equipment should be shown, entirely aside from any consideration that may be given its length of life as the result of normal progress of the art.

"4. Such facts and data as can be secured, regarding the probability of future improvements in equipment that will require the replacement of items now in use, should also be furnished, again bearing in mind that the replacement of the equipment now in use prior to the end of its physical life because of future improvements cannot be assumed merely because it is probable that such improvements will occur, and that before any very great weight can be given this factor, it will be necessary that fairly definite evidence be furnished that such improvements will occur; it being considered that the history of the industry during the last few years should be fairly indicative of the future.

"5. The rates of depreciation allowable will obviously depend to a great extent upon the method of accounting followed regarding the costs of small replacements, and the character of such replacements charged to capital account and to expense, respectively. Consideration must also be given the question of whether losses are to be allowed on items, the cost of which has been charged to capital account and which are discarded prior to the end of their estimated serviceable life, or whether the cost of these items is to be recovered entirely through the rates of depreciation allowed."

The Bureau now has under consideration a number of individual cases, decision in which is being withheld pending a decision on the question of allowable rates. It is urged that the information be compiled at the earliest possible date. It is suggested by the Bureau that the actual history of several stations that have been in operation for several years would be helpful in considering the question, the date to include (a) the original cost of each class of depreciable assets and the year installed; (b) the cost of each subsequent year's additions; (c) the cost of items retired each year (which were previously charged to capital account) and the year in which the discarded items were originally installed; (d) the rates and amounts of depreciation allowed for income tax purposes in each prior year; (e) the amount taken each year as expense deductions as the cost of maintenance, repair and replacements, and (f) the amounts, if any, which have been allowed in each prior year as losses on discarded items.

The Bureau, upon conclusion of its consideration of the question of allowable rates, intends to publish an official bulletin on the subject.

F. R. C. CONSIDERS LIQUOR QUESTION

The Federal Radio Commission has referred to its Legal Division the question of the legality of liquor advertising by radio. The Commission's attorneys have been in communication with the Department of Justice and the Post Office Department and it is expected that a report on the subject will be forthcoming at a future date. In the meantime the Commission is withholding any official expression on the subject.

Section 5 of the act of Mar. 3, 1917 (39 Stat. 1069), as amended by the act of Mar. 4, 1917 (39 Stat. 1202), and by section 1407 of the act of Feb. 24, 1919 (40 Stat. 1151), and by section 17 of title II of the act of Oct. 28, 1919 (41 Stat. 313), (18 U.S.C. 341 and 18 U.S.C. Supp. VI 341), and by section 1110 of the act of Oct. 3, 1917 (40 Stat. 329) (18 U.S.C. 342), and by section 3 (c) of the act of Mar. 22, 1933 (48 Stat. 17) (27 U.S.C. 64 b), provides among other things that advertisements of or solicitations of orders for intoxicating liquors shall not be mailed to any place or point in any State or Territory of the United States at which it is by the law in force in the State or Territory unlawful to advertise or solicit orders for such liquors.

The following States and Territories are affected by the said act, effective upon the repeal of the Eighteenth amendment on Dec. 5, 1933:

States and Territories the laws of which prohibit both the advertising of and solicitation of orders for intoxicating liquors: Alabama, Alaska, District of Columbia, Florida, Georgia, Hawaii, Idaho, Maine, Michigan, Mississippi, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Puerto Rico, South Carolina, Texas, Virgin Islands, Virginia, and West Virginia.

States the laws of which prohibit advertising but do not refer to solicitation of orders: Missouri, South Dakota and Utah.

States which prohibit solicitation of orders: Arkansas, Minnesota, New Hampshire, Tennessee, and Vermont.

The following States are affected as indicated:

Connecticut: Prohibits solicitation of orders in towns which forbid sale of liquor under local option clause of Liquor Control Act.

Delaware: Prohibits advertising except in newspapers or other periodical publications or by radio.

Indiana: Permits solicitation of orders by holders of permits issued by State Excise Department.

The following States have statutes which provide for local option: Maryland, New Mexico, and Washington.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Protective Committee for holders of bonds of Atlantic City and Atlantic County, N. J., New York City (2-455).

Same (2-456).

Greenebaum Sons Investment Company and Percy Cowan, Chicago, Ill. (2-458).

Oak Ridge Fur Farms Company, Inc., Dover, Del. (2-457).

Protective Committee for Valspar Corporation, New York City (2-459).

American Participations, Inc., Springfield, Mo. (2-464).

Asphalt Vault Company of America, Baltimore, Md. (2-466).

Paul A. Flickinger and others, Reading, Pa. (2-462).

Continental Sugar Company Bondholders' Protective Committee, New York City (2-465).

Bondholders Committee for Metropolitan District Finance Company, Chicago, Ill. (2-463).

Greenebaum Sons' Investment Company and Percy Cowan, Reorganization Managers, Chicago, Ill. (2-468).

Premier Brewing Company, Middletown, Ohio (2-467).

Producers Development Syndicate, Shelby, Mont. (2-461).

Thomas A. Tunney and others, New York City (2-460).

MISSOURI TAX BILL KILLED

The proposed sales tax of one-fourth of one per cent on "radio casting," which was introduced in the Missouri Legislature by the House Ways and Means Committee, as reported on November 18, 1933, in No. 44 of the NAB Reports, was killed in the House on November 28, 1933.

COORDINATOR REQUESTS ASSISTANCE

The Federal Coordinator of Transportation has requested all broadcasting stations to aid in solving the Government's transportation problem by filling in a "Passenger Ballot," copies of which were sent to every station. The Federal Coordinator of Transportation has requested the NAB to assist in this undertaking by urging that all NAB members give prompt attention to the ballot. Members are urged therefore to fill out the ballots and return them to Coordinator Joseph B. Eastman, Federal Coordinator of Transportation, Washington, D. C. The study is being conducted under the authority of a law passed by Congress at its last session.

WBBM APPEALS WGN GRANT

Station WBBM, Chicago, this week filed an appeal in the Court of Appeals of the District of Columbia against the decision of the Federal Radio Commission in granting WGN, Chicago, a power increase to 50,000 watts. WBBM claims that the increased power increases economic competition in the Chicago area.

RECOMMENDS AGAINST KMLB APPLICATION

Station KMLB, Monroe, La., applied to the Radio Commission for permission to change the transmitter location, to increase its power from 100 to 250 watts and change its time from unlimited time to specified hours. In Report No. 528 this week George H. Hill (e) recommended that the application be denied.

The Examiner found that the granting of this application would result in interference at night with station WOW. He also found that "there is no showing that the increase of power and the reduction of hours of operation requested would serve the public interest."

OPPOSES SIMULTANEOUS OPERATION

Stations WOKO, Albany, N. Y., WHEC, Rochester, N. Y., WCAH, Columbus, Ohio, and WHP, Harrisburg, Pa., all applied to the Radio Commission for authority to operate simultaneously, day and night, on 1430 kilocycles. Also Station WCAH requested an increase in daytime power from 500 to 1,000 watts. Station WFEA, Manchester, N. H., was constructed under experimental terms issued by the Commission and sought authority to operate on a regular basis on 1430 kilocycles.

In Report No. 527, this week Ralph L. Walker (e) recommended that the applications of Stations WOKO, WHEC, and WCAH be denied; that the application of WHP be granted for unlimited time, except the hours specified in the license of Station WBAK. He also recommended that the application of Station WFEA for license be granted.

WBT AND WHAS GET POWER INCREASES

Stations WBT, Charlotte, N. C., and WHAS, Louisville, Ky., had their power increased from 25,000 to 50,000 watts by a decision of the Radio Commission handed down on Friday. Hearings in both of these cases were heard before the full membership of the Commission on November 22. WBT operates on a frequency of 1080 kilocycles, while WHAS is on 820 kilocycles.

It was found by the Commission in its WBT decision "that the applicant is qualified and able to operate Station WBT with 50 kilowatts power in such manner as to serve public interest," and also "that the operation of Station WBT with 50 kilowatts power will result in a more efficient use of the frequency of 1080 kilocycles."

In connection with its decision in the case of WHAS, the Commission found that this station also would be able to operate in a more efficient manner with 50,000 watts and that "no appreciable increase in interference may reasonably be expected to develop from the operation of Station WHAS with 50 kilowatts power."

WIRED RADIO BRINGS SUIT

Wired Radio. Inc., is reported to have brought suit for infringement of patents against WFBE, Inc., Cincinnati, Ohio. The suit was filed September 26, 1933, in the United States Court of the Southern District of Ohio, and alleges infringement of certain patents covering crystal control circuits.

UNLICENSED STATIONS PROSECUTED

The Commission this week announced that convictions have been obtained in several cases in the Federal courts of Texas involving the operation of broadcasting stations without benefit of licenses from the Federal Radio Commission.

Curry Jackson, of Abilene, Tex., was sentenced to ten days in prison for operating without a station license and for operating without an operator's license. Fred Bitterman and Albert Cox were convicted on similar charges at Waco, Tex. It is reported that a number of the remaining unlicensed stations in Texas have ceased operation.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Thursday, December 14, 1933

WBBX—Coliseum Place Baptist Church, New Orleans, La.—Involuntary assignment of license, **1200 kc.**, 100 watts, share with WJBW.

WBBX—Samuel D. Reeks, New Orleans, La.—C. P., **1200 kc.**, 100 watts, share with WJBW.

WBBX—Samuel D. Reeks, New Orleans, La.—Renewal of license, **1200 kc.**, 100 watts, share with WJBW.

Wednesday, December 13, 1933

Oral Argument Before Commission en banc

KECA—Earle C. Anthony, Inc., Los Angeles.—Modification of license, **780 kc.**, 1 KW, unlimited time, (facilities of KTM and KELW). Present assignment, **1430 kc.**, 1 KW, unlimited.

NEW—Don Lee Broadcasting System, Redlands, Cal.—C. P., **780 kc.**, 500 watts, unlimited time (facilities of KTM and KELW).

KFBK—James McClatchy Company, Sacramento, Cal.—C. P., **1430 kc.**, 500 watts, unlimited time (facilities of KTM and KELW). Present assignment: **1310 kc.**, 100 watts, unlimited time.

KTM—Pickwick Broadcasting Corp., Los Angeles.—Voluntary assignment of license to Evening Herald Publishing Co., **780 kc.**, 500 watts, 1 KW LS, shares with KELW.

KTM—Pickwick Broadcasting Corp., Los Angeles.—Renewal of license, **780 kc.**, 500 watts, 1 KW LS, shares with KELW.

KELW—Magnolia Park, Ltd., Burbank, Cal.—Voluntary assignment of license to Evening Herald Publishing Co., **780 kc.**, 500 watts, shares with KTM.

KELW—Magnolia Park, Ltd., Burbank, Cal.—Renewal of license, **780 kc.**, 500 watts, shares with KTM.

APPLICATIONS GRANTED

First Zone

NEW—The Northern Corp., Chelsea, Mass.—Granted C. P. for new station, **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Granted authority to remain silent December 25 and January 1, on account of Christmas and New Year's holidays.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Granted C. P. to move transmitter locally and make slight changes in equipment.

WOL—American Broadcasting Co., Washington, D. C.—Granted license covering changes in equipment, **1310 kc.**, 100 watts, unlimited.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Granted license, **1370 kc.**, 100 watts, specified hours.

Second Zone

None.

Third Zone

KRMD—KRMD, Inc., Shreveport, La.—Granted authority to operate December 8, 1933, until 8:45 p. m. in order to broadcast by remote control local Boy Scout program.

KWWG—Frank P. Jackson, Brownsville, Tex.—Granted extension to remain silent until decision on application for assignment of license and request of new applicant for facilities of KWWG, but not later than April 1, 1934.

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Granted authority to remain silent Christmas Day, also January 1.

WGCM—Great Southern Land Co., Mississippi City, Miss.—Granted license covering increase in power and change in specified hours; **1210 kc.,** 100 watts night, 250 watts day.

WSMB—WSMB, Inc., New Orleans, La.—Granted license covering move of transmitter, **1320 kc.,** 500 watts, unlimited.

WENC—Americus Broadcasting Corp., Americus, Ga.—Granted C. P. to move transmitter and studio from Americus to Albany, Ga., and make changes in equipment.

Fourth Zone

WSUI—State University of Iowa, Iowa City, Ia.—Granted special temporary authority to operate from 10 p. m. to 1 a. m., CST, Friday, December 15.

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Granted license covering move of station, change in frequency and hours of operation; **1500 kc.,** 100 watts, specified hours.

KWLC—Luther College, Decorah, Ia.—Granted authority to remain silent from December 20, 1933, to January 2, 1934, during Christmas holidays at College.

KGBX—KGBX, Inc., Springfield, Mo.—Granted 60-day extension of authority to operate unlimited time, pending decision on pending application.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted license covering change in location of main transmitter, **950 kc.,** 1 KW, unlimited time.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted C. P. to move auxiliary transmitter from Independence, Mo., to Kansas City, Kans., to location of main transmitter.

Fifth Zone

KRE—First Congregational Church of Berkeley, Berkeley, Calif.—Granted special temporary authority to operate from 6 to 7 a. m., PST, on Christmas Day.

KWSC—State College of Washington, Pullman, Wash.—Granted authority to remain silent from 9:30 p. m., December 23, to 6:45 a. m. January 8, 1934, PST, in order to make certain improvements in equipment.

KDFN—Donald Lewis Hathaway, Casper, Wyo.—Granted license covering local move of station, and making changes in equipment, **1440 kc.,** 500 watts, unlimited.

KIEM—Harold H. Hanseth, Eureka, Cal.—Granted authority to operate night of December 7, in order to broadcast NRA meeting. KFJI consented to operation.

APPLICATIONS DENIED

KLS—S. W. Warner and E. N. Warner, d/b as Warner Bros., Oakland, Cal.—Denied authority to operate from midnight to 6 a. m., PST, in addition to present daytime hours of operation.

The following cases, heretofore designated for hearing, were denied because applicants failed to enter appearance within time allowed:

KIEM—Harold H. Hanseth, Eureka, Cal.—Modification of license, **1210 kc.,** 100 watts, unlimited time (facilities of KFWI); also special temporary experimental authority, **1210 kc.,** 100 watts, daytime and night hours to 10 p. m.

NEW—G. M. Dauntley, San Francisco.—C. P., **930 kc.,** 500 watts, share with KROW (facilities of KFWI).

SET FOR HEARING

NEW—Western Pennsylvania Broadcasting Co., Greensburg, Pa.—C. P. for new station; **620 kc.,** 250 watts, daytime only.

NEW—Walter B. Stiles, Inc., Muskegon, Mich.—C. P. for new station, **1310 kc.,** 100 watts, unlimited time.

NEW—Ark-La-Tex Radio Corp., Shreveport, La.—C. P. for new station; **850 kc.,** 10 KW, unlimited time. Facilities KWKH and WWL.

NEW—S. George Webb, Newport, R. I.—C. P. for new station, **1390 kc.,** 250 watts, unlimited time.

NEW—Jos. G. Mayer and Clarence R. Cummins, Erie, Pa.—C. P. for new station, **1420 kc.,** 100 watts, unlimited time.

NEW—Henry Clay Allison.—C. P. for new station, facilities of KFJZ, **1370 kc.,** 100 watts; share equally with KFJZ.

NEW—Wm. E. Chaplin, Pine Bluff, Ark.—C. P. for new station, **1500 kc.,** 100 watts, daytime.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Modification of license to change hours of operation from specified to unlimited. Facilities of KGAR.

WLEY—Albert S. Moffat, Lexington, Mass.—C. P. to move sta- from Lexington to Lowell, Mass.; increase hours of operation from specified to unlimited.

WHA—University of Wisconsin and Department of Agriculture and Markets, Madison, Wis.—C. P. to consolidate stations WHA and WLBL; install new equipment; use **670 kc.,** 5 KW power, one-half time sharing with WMAQ; facilities of WMAQ.

ORAL ARGUMENT GRANTED

The Commission, sitting en banc, will hear oral arguments on January 3, 1934, beginning at 10 a. m., in re Examiner's Report No. 520, concerning applications of WCAO, Baltimore; WICC, Bridgeport, Conn., and WCAC, Storrs, Conn., for increase in operating power to 500 watts, on their common frequency—**600 kc.**

APPLICATIONS RECEIVED

First Zone

WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn. —Application to determine operating power of broadcasting station by direct measurement of antenna power.

NEW—Brooklyn Daily Eagle Broadcasting Co., Inc., Brooklyn, N. Y.—Construction permit to erect a new station to operate on **1400 kc.,** 500 watts, unlimited time. Facilities of WBBC, WLTH, WARD and WVFW.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Determine operating power by direct measurement of antenna power.

WHN—Marcus Loew Booking Agency, New York, N. Y.—License to cover construction permit as modified 10-24-33 authorizing changes in equipment and move of transmitter.

Second Zone

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Construction permit to make changes in equipment and to cover move of transmitter to Third St., Village of Laurium, Mich.

Third Zone

KWWG—Port Arthur College, Port Arthur, Texas.—Construction permit to move station KWWG from Brownsville, Texas, to 1500 Proctor St., Port Arthur, Texas, *amended* to change transmitter location to site to be determined subject to approval of the Commission.

NEW—N. Vernon Clark, Chester, S. C.—Construction permit to erect a new station to operate on **1310 kc.**, 100 watts, daytime hours. To be considered under Rule 6 (f).

KARK—Arkansas Radio and Equipment Co., Little Rock, Ark.—Modification of construction permit granted 6-9-33, requesting authority to make changes in equipment and extend date of completion from 10-9-33 to 3-1-34.

WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit to make changes in equipment and increase daytime power from 250 watts to 1 kilowatt *amended* to make further changes in equipment.

WMC—WMC, Incorporated, Memphis, Tenn.—Construction permit to move studio from Memphis, Tenn., to Frankstown, Miss., increase power to 1 KW night, 2½ KW daytime, make changes in equipment *amended* to request application be considered under Rule 6 (f) and (g).

Fourth Zone

WHA—University of Wisconsin, and Department of Agriculture and Markets, Madison, Wis.—Construction permit to consolidate Radio Stations WHA and WLBL under the call of WHA, using new equipment, transmitter location of WLBL (near Stevens Point, Wis.), and studio location of WHA, (Campus of University of Wisconsin, Madison, Wis.), on the frequency of **670 kc.**, 5 kilowatts power, one-half time sharing with WMAQ. Facilities of WMAQ, Chicago, Ill.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—License to cover construction permit granted 6-30-33, authorizing changes in equipment.

WISN—American Radio News Corp., Milwaukee, Wis.—Modification of license to increase power from 250 watts to 250 watts night, 500 watts daytime. Application to be considered under Rule 6 (f).

Fifth Zone

KGHF—Curtis P. Ritchie and Geo. J. Ikelman, Pueblo, Colo.—Consent to voluntary assignment of license to Geo. J. Ikelman.

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NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
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BROADCAST ADVERTISING IN OCTOBER

Broadcast advertising in October showed the most encouraging trend to be exhibited since the establishment of the statistical service in July. Gross receipts from the sale of advertising time amounted to $5,741,850.00 and marked a 45.3% increase over September revenues. National network advertising volume increased 54.2% over the previous month. Regional network advertising rose 82.0%, while individual station receipts showed a gain of 34.9% as against September. The total volume of broadcast advertising over national networks, regional networks and individual stations for the month of October is found in Table I:

TABLE I

TOTAL RADIO BROADCAST ADVERTISING VOLUME

	1933 Gross Receipts		
Class of Business	*September*	*October*	*Cumulative July-October*
National networks	$2,102,809.00	$3,244,153.00	$9,063,916.00
Regional networks	14,281.00	26,091.00	88,703.00
Individual stations	1,832,251.00	2,471,606.00	8,150,260.00
Total	$3,949,341.00	$5,741,850.00	$17,302,879.00

The trend in national network advertising during October has been especially encouraging. In addition to showing a marked gain over September volume these revenues were 7.0% higher than those for the same month of 1932. Furthermore, receipts for the month in question were the highest since May, 1932, and were within $9,000 of equalling October, 1931, volume. It will be remembered that this was the month which marked the beginning of the most successful period thus far to have been experienced by network radio advertising.

It is impossible to say what is the position of individual station revenues as compared with previous years since no data exists on this subject. However, if individual station business has followed network trends to any degree at all it would seem that radio advertising volume is definitely on the upswing. To what extent broadcast advertising will approximate 1931-1932 levels should become evident within the next several months.

Comparison with Other Media

A comparison of September expenditures for radio broadcast advertising as against those for other leading advertising media is found in Table II:

TABLE II

ADVERTISING VOLUME MAJOR MEDIA

	1933 Gross Receipts		
Advertising Medium	*September*	*October*	*Cumulative July-October*
Radio broadcasting	$3,949,341.00	$5,739,850.00	$17,300,879.00
National magazines[1]	7,942,886.00	9,574,829.00	30,259,086.00
National farm papers	373,134.00	455,018.00	1,301,162.00
Newspapers	38,371,622.00	43,903,450.00	152,515,168.00
Total	$50,636,983.00	$59,673,147.00	$201,376,295.00

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[1] National magazine totals are for 108 periodicals, prepared by Publishers' Information Bureau, Inc., from which source national farm papers and networks are also taken.

National magazine volume showed an increase of 20.5% as against September; farm papers a rise of 19.2% and newspapers a gain of 12.6% as compared with the previous month.

October national magazine volume is approximately 6.0% ahead of that of the same month of 1932. Newspaper volume finds itself in about the same position as national magazine advertising, while advertising in farm papers shows an increase of 48.0% over October, 1932.

Total volume of advertising for the first ten months of 1933 is, in the case of most media, materially behind that of the previous year. National magazines are approximately 20.0% behind last year. National farm papers are 22.0% and national network advertising is 27.0% less than in 1932. Newspaper advertising for the period is approximately 11.0% less than in 1932.

Since 1932 represented the most prosperous year thus far experienced by national networks, the decline in revenue during the current year tends to represent the maximum shrinkage in advertising volume to be experienced by the medium during the depression. On the other hand, by the beginning of 1932 national magazine advertising had already declined about 44.0% from its previous peak, while the volume of national advertising placed in newspapers was estimated to have dropped approximately 38.0% from its previous high level. It seems, therefore, that on the whole radio advertising has tended to feel the depression less seriously that other major media.

Advertising Over Various Classes of Stations

The volume of non-network advertising placed over stations of different classes of power is found in Table III:

TABLE III

NON-NETWORK BROADCAST ADERTISING BY POWER OF STATION

	1933 Gross Receipts		
Power of Station	*September*	*October*	*Cumulative July-October*
Over 5,000 watts	$768,480.00	$894,860.00	$3,396,871.00
2,500-5,000 watts	183,245.00	311,192.00	1,007,658.00
250-1,000 watts	666,267.00	935,850.00	2,831,442.00
100 watts and under	214,259.00	329,704.00	914,289.00
Total	$1,832,251.00	$2,471,606.00	$8,150,260.00

Stations of 5,000 watts and more in power tended to make up the losses in non-network revenue experienced during the past two months and to approximate their July position. The growth in non-network revenue of stations of this class has tended to be less than that of smaller transmitters. This is due probably to the fact that stations of this class are usually affiliated with networks and that these networks are in a position to command the best station time. Stations of from 2,500 to 5,000 watts tended to show the same trend as experienced by the larger transmitters. The greatest increase in non-network revenue has been on the part of the smaller broadcasting units. Stations in the 250-1,000-watt class showed an increase of 40.0% in non-network revenue as compared with September, while stations in the 100-watt group enjoyed an increase of 54.0%. How much of these various trends are due to cyclical conditions and to what extent they are normal seasonal trends it is impossible to say at this time.

The amount of non-network advertising placed over stations in different sections of the country is found in Table IV:

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*September*	*October*	*Cumulative July-October*
	1933 Gross Receipts		
New England-Middle Atlantic Area	$462,448.00	$599,277.00	$2,061,382.00
South Atlantic-South Central Area	288,802.00	354,559.00	1,183,768.00
North Central Area	676,341.00	1,018,643.00	3,047,628.00
Pacific and Mountain Area	404,660.00	499,127.00	1,857,482.00
Total	$1,832,251.00	$2,471,606.00	$8,150,260.00

The outstanding trend in this instance is the marked rise of non-network advertising over Middle Western stations. Advertising in the Southern district continues the steady growth which it has experienced in recent months. Both the New England and Middle Atlantic districts and Pacific-Mountain region have regained the losses experienced in August and September, and have slightly exceeded July advertising volume.

Spot and Local Advertising

A comparison of the volume of national spot and local broadcast advertising going to make up the non-network revenues of individual stations is found in Table V:

TABLE V

COMPARISON OF NATIONAL SPOT AND LOCAL BROADCAST ADVERTISING

Class of Business	*September*	*October*	*Cumulative July-October*
	1933 Gross Receipts		
National spot	$654,014.00	$1,066,413.00	$3,115,318.00
Local	1,178,237.00	1,405,193.00	5,034,942.00
Total	$1,832,251.00	$2,471,606.00	$8,150,260.00

There was a marked increase in national spot advertising during October. Spot volume was 63.0% higher than September and 44.0% higher than in July. Local advertising showed a 19.0% increase over the previous month and was 3.5% higher than in July. Advertising of this type, however, seems to show somewhat less seasonal fluctuation than in the case of national spot business.

Advertising By Type of Rendition

The trends with regard to the electrical transcription business and other types of broadcasting rendition are found in Tables VI and VII:

TABLE VI

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

Type of Rendition	*September*	*October*	*Cumulative July-October*
	1933 Gross Receipts		
Elec. transcriptions	$303,605.00	$563,753.00	$1,452,855.00
Live talent programs	916,041.00	1,094,678.00	3,762,906.00
Records	51,906.00	53,398.00	236,885.00
Spot announcements	560,699.00	759,777.00	2,697,614.00
Total	$1,832,251.00	$2,471,606.00	$8,150,260.00

TABLE VII

COMPARISON OF LOCAL AND NATIONAL SPOT ADVERTISING BY TYPE OF RENDITION

Type of Rendition	*National Spot*	*Local*	*Cumulative. July-October*
	1933 Gross Receipts		
Elec. transcriptions	$442,200.00	$121,553.00	$563,753.00
Live talent programs	350,455.00	744,223.00	1,094,678.00
Records	8,943.00	44,455.00	53,398.00
Spot announcements	264,815.00	494,962.00	759,777.00
Total	$1,066,413.00	$1,405,193.00	$2,471,606.00

Electrical transcription volume in October showed a gain of 85.0% over the previous month. This was due entirely to national spot business which increased 98.0%; local electrical transcription volume having declined slightly.

Live talent volume increased 16.3% over the previous month, while no change occurred with regard to the broadcasting of records and commercial programs.

Spot announcement business increased 35.0% in October. This was due principally to national spot business which was more than double its September volume. Local spot announcement business increased but 16.0% as against the previous month.

Participations which are found in Table VIII continued to decline in volume. This is probably a healthy sign since the most reasonable explanation of this trend would be that the average sponsor is becoming desirous of presenting his own individual program.

TABLE VIII

PARTICIPATIONS OVER INDIVIDUAL STATIONS

Type of Rendition	*September*	*October*	*Cumulative July-October*
	1933 Gross Receipts		
Elec. transcriptions	$144.00	$	$395.00
Live talent	62,067.00	48,300.00	238,685.00
Records	15,623.00	10,802.00	62,929.00
Total	$77,834.00	$59,102.00	$302,009.00

Radio Advertising Sponsors

The volume of broadcast advertising in October sponsored by various industrial groups is found in Table IX, while an analysis of national spot and local broadcast advertising over individual stations is presented in Table X.

The following trends are to be noticed with regard to the sponsorship of radio advertising by various industrial groups during the month of October:

1a. *Amusements*—There has been a 10% increase during the month in advertising of this type, although the total volume still remains materially below that of August. Amusement advertising is almost entirely local in origin.

1. *Automobiles*—Automobile advertising experienced a 27% increase over September volume and was almost double that of July. National network advertising in this field increased 19% over the previous month and stood at approximately two and one-third times July volume. Individual station business from this source increased 42% over September and stood approximately even to July revenues. This increase was entirely in the local field.

2. *Accessories, gasoline and oil*—General revenue from this source increased 35% as compared with September and was approximately 10% higher than in July. National network advertising in this field continued its growth of recent months. National spot business showed an increase of 140% over September, while there was little change in local advertising volume.

3. *Clothing*—There has been a marked increase in clothing advertising during the past month. Network advertising in this field practically doubled as compared with September and was more than five times July volume. National spot business also more than doubled, while local clothing advertising showed a considerable rise in volume.

4. *Drugs and pharmaceuticals*—Advertising in this field more than doubled September volume after having remained comparatively static during the preceding three months. Principal increases were in national network and spot advertising, the volume of local advertising in this field having risen but slightly.

5. *Toilet goods*—Toilet goods advertising continued its steady upward trend of recent months and in October stood at $725,230 as compared with $439,299 in July. National network advertising has accounted for the principal gains in this field.

6. *Foodstuffs*—The food industry still continues to be the largest single user of radio advertising. October revenues in this field were 60% over those of the previous month, network advertising having risen 67%, spot advertising approximately 80% and local advertising 30%.

7. *Beverages*—Although the total increase in this field has been slight, national advertising volume has risen 50% as compared with September. Individual station volume has held even, the

TABLE IX

RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(October, 1933)

Type of Sponsoring Business	*Gross Receipts for Month* *National Networks*	*Regional Networks*	*Individual Stations*	*Total*
1a. Amusements	$ —	$ —	$69,117.00	$69,117.00
1–2. Automobiles and accessories:				
(1) Automobiles	217,933.00	1,595.00	137,748.00	357,276.00
(2) Accessories, gas and oils	297,543.00	4,697.00	206,461.00	508,701.00
3. Clothing and apparel	46,308.00	1,125.00	199,980.00	247,413.00
4–5. Drugs and toilet goods:				
(4) Drugs and pharmaceuticals	357,048.00	3,400.00	288,058.00	648,506.00
(5) Toilet goods	574,471.00	2,600.00	148,159.00	725,230.00
6–8. Food products:				
(6) Foodstuffs	723,580.00	3,590.00	399,800.00	1,126,970.00
(7) Beverages	381,700.00	1,348.00	62,530.00	445,578.00
(8) Confections	129,506.00	250.00	51,259.00	181,015.00
9–10. Household goods:				
(9) Household equipment and furniture	11,496.00	—	140,236.00	151,732.00
(10) Soap and kitchen supplies	92,247.00	—	64,676.00	156,923.00
11. Insurance and financial	93,704.00	687.00	67,348.00	161,739.00
12. Radios	57,812.00	—	9,150.00	66,962.00
13. Retail establishments	—	—	111,108.00	111,108.00
14. Tobacco products	133,697.00	—	5,946.00	139,643.00
15. Miscellaneous	127,108.00	6,799.00	510,030.00	643,937.00
Total	$3,244,153.00	$26,091.00	$2,471,606.00	$5,741,850.00

TABLE X

NON-NETWORK ADVERTISING BY TYPE OF SPONSORING BUSINESS

(October, 1933)

Type of Sponsoring Program	*Gross Receipts for Month* *National Spot*	*Local*	*Total*
1a. Amusements	$2,704.00	$66,413.00	$69,117.00
1–2. Automobiles and Accessories:			
(1) Automobiles	50,607.00	87,141.00	137,748.00
(2) Accessories, gasoline and oil	143,735.00	62,726.00	206,461.00
3. Clothing and apparel	40,750.00	159,230.00	199,980.00
4–5. Drugs and toilet goods:			
(4) Drugs and pharmaceuticals	196,807.00	91,251.00	288,058.00
(5) Toilet goods	132,696.00	15,463.00	148,159.00
6–8. Food products:			
(6) Foodstuffs	182,180.00	217,620.00	399,800.00
(7) Beverages	28,057.00	34,473.00	62,530.00
(8) Confectionery	44,494.00	6,765.00	51,259.00
9–10. Household goods:			
(9) Household equipment and furniture	37,009.00	103,227.00	140,236.00
(10) Soap and kitchen supplies	51,775.00	12,901.00	64,676.00
11. Insurance and financial	10,609.00	56,739.00	67,348.00
12. Radios	2,494.00	6,656.00	9,150.00
13. Retail establishments	3,344.00	108,764.00	111,108.00
14. Tobacco products	622.00	4,324.00	5,946.00
15. Miscellaneous	138,530.00	371,500.00	510.030.00
Total	$1,066,413.00	$1,405,193.00	$2,471,606.00

slight increases in spot advertising having been offset by similar declines in local advertising volume.

8. *Confectionery*—There has been a marked increase in this field. October volume was 160% higher than in September and six times that of July. National network advertising was three times that of the preceding month, and more than thirty times July volume. Spot advertising more than doubled, while there was no appreciable change in local advertising. Chewing gum advertising is the principal explanation of this trend.

9. *Household appliances*—There has been a slight increase in this field. individual station revenue from advertisers of this type having risen 30% as against September. This is due to a 50% rise in spot advertising and a 21% increase in local advertising. National network advertising in this field has declined 50% since July.

10. *Soap and kitchen supplies*—There has been little change in this field other than a slight increase in national spot advertising.

11. *Insurance and financial*—Total revenue in this field increased approximately 17% during October after having been comparatively static throughout the preceding three months. This was due almost entirely to a 65% increase in local financial advertising over individual stations.

12. *Radio*—There has been a slight recession in this field from the previous month, most of the decline having been in local advertising.

13. *Retail*—There has been a further slight decline in retail advertising as far as general retail establishments are concerned. This situation is treated more fully in a discussion of Table XI.

14. *Tobacco products*—Revenues from this source have increased 12% as against September. Advertising of this type is almost exclusively national network in point of origin.

Retail Advertising

A more detailed study of the retail advertising situation is possible from an examination of Table XI:

TABLE XI

RETAIL ADVERTISING OVER INDIVIDUAL STATIONS

(October, 1933)

Type of Sponsoring Business	*Gross Receipts for Month*
Automobiles and accessories:	
Automobile agencies and used car dealers	$74,503.00
Gasoline stations, garages, etc.	26,970.00
Clothing and apparel shops	144,206.00
Drugs and toilet goods:	
Drug stores	11,070.00
Beauty parlors	503.00
Food products:	
Grocery stores, meat markets, etc.	42,085.00
Restaurants and eating places[1]	24,070.00
Beverage retailers	2,832.00
Confectionery stores, etc.	1,445.00
Household goods:	
Household equipment retailers[2]	44,653.00
Furniture stores	42,162.00
Hardware stores	8,605.00
Radio retailers	6,056.00
Department and general stores	111,108.00
Tobacco shops	3,433.00
Miscellaneous	79,544.00
Total	$622,245.00

Advertising by retail automobile dealers increased approximately 50% during the month. Clothing advertising rose 40%, drug advertising 60%, advertising by food retailers 35%, while that of confectionery stores approximately doubled. There were slight increases in household equipment advertising by retailers, and in department and general store advertising. Decreases were experienced on the part of radio retailers and miscellaneous establishments.

GENERAL BUSINESS CONDITIONS

General business activity continued to decline, though the recession was less marked than during August and September. The New York Times Index on November 11 was 72.9 as compared with 79.8 on September 9. This still shows a better position than for last year when on November 12 the index stood at 69.1. Production in basic industries continued to decline contrary to the usual seasonal tendency. Automobile production slowed up materially due primarily to anticipation of new models. The Index for car-loadings was 60.2 on November 11 as compared with 69.3 on October 14. Prices showed renewed firmness following a slight recession in recent weeks. The Bureau of Labor Statistics' Index of wholesale prices for the third week of November was 71.7, approximately 20% above the low of last March. Retail trade conditions continued to be uncertain with some slight recessions. Encouragement is to be found in the fact that October automobile sales were estimated by the National Automobile Chamber of Commerce to be 103% above those of the same month of 1932, in spite of a 16% decline as compared with September. This was the first time in five years that October sales were greater than in the previous October.

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[1] Exclusive of hotels.

[2] Such as electric refrigerators, oil burners, sweepers, furnaces and the like.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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CODE AUTHORITY COMPLETES FIRST TASKS

The Code Authority appointed by President Roosevelt to administer the Code of Fair Competition for the Radio Broadcasting Industry, which became effective on December 11, held its first meeting in Washington this week.

John Shepard III, Boston, Mass., was elected chairman, and John Elmer, Baltimore, Md., was chosen vice chairman. James W. Baldwin was elected to serve as executive officer.

At the suggestion of the deputy administrator, Philip G. Loucks, NAB managing director, served as temporary chairman until a member of the Code Authority was elected to preside.

Managing Director Loucks, at the opening session, presented to the Code Authority some brief observations and formally laid before the meeting a number of matters received by him from stations throughout the country.

"The Code, just like any other law, is as good or bad as its administration," the managing director said. "In the name of the NAB I make this request—and I know it is unnecessary—that the provisions of the Code be applied with equal fairness to large and small enterprises and members and non-members of the Association.

"No one who has had anything to do with the drafting of this Code—and most of you have had some participation in that work—can be impressed otherwise than with the fairness shown by all members of the Committee charged with the task.

"This Code Authority is temporary. Under the provisions of the Code you are under an injunction to recommend a permanent form of Code Authority. That permanent Code Authority eventually must be the National Association of Broadcasters. It is my sincere hope that within the next three months the membership of the Association will be increased to a point where you will be in a position to make such recommendation. The Administrator has already found that the Association is properly constituted for that purpose. And if the purpose of self regulation, the objective sought by the National Industrial Recovery Act, is to be achieved, the Association must become the Code Authority. When I make this request I am mindful of the task which lies before me; that of building up the numerical strength of the Association to a point where all classes of stations and all parts of the United States can have equal representation in elections and in decisions on policies of the industry.

"You may expect from the NAB the closest cooperation consistent with the work of administration and possible within the limited facilities of the Association. I am certain that you will enjoy the support of the industry as a whole.

"The broadcasters recognize this meeting as an important event in the history of broadcasting in the United States. They look upon it as an unprecedented step in the direction of self-regulation. They are cognizant of the opportunity for such regulation presented here and I am confident they intend to avail themselves of that opportunity."

Under the Code the Administrator is authorized to designate, without vote, three representatives. These representatives will be named, it was learned, before the next meeting of the body.

Those present at the meeting were: John Shepard III, John Elmer, James W. Baldwin, Alfred J. McCosker, Edward N. Nockels, James Kiernan, M. R. Runyon, Frank M. Russell, Izaac Z. Buckwalter, and William Farnsworth, Assistant Deputy Administrator.

During the three-day sessions the Code Authority adopted rules and regulations governing its meetings and considered numerous inquiries and requests for interpretations and matters concerning investigations into the wages and hours of broadcast technicians. The body also adopted ways and means for financing its activities and authorized its chairman and executive officer to complete details in connection with financing. Under the Code all stations are required to bear their proportionate share of the cost of administration as a condition to sharing in the benefits of the Code Authority.

The rules and decisions approved by the Code Authority are subject to approval of the NRA and will not be announced until such approval has been obtained.

In the meantime all stations in the United States are required to operate under the terms of the Code and failure to do so constitutes violation for which the NIRA provides penalties.

It was learned that the NRA is now perfecting plans for handling complaints of violation of all Codes and that consideration also is being given to a form for securing signatures of businesses.

The Code Authority is negotiating for the use of office space under lease by the NAB and for the present the address will be National Press Building, Washington, D. C. While the Code Authority is entirely independent of the NAB it has formally requested the use of certain office space and facilities of the NAB during its temporary life. The Managing Director will transmit the proposal to the NAB Board with a request that the assistance asked be accorded.

COMMUNICATIONS UNIFICATION CONSIDERED

President Roosevelt this week received the report of the Interdepartmental Communications Committee containing factual data upon which it is believed a definite government policy with respect to the unification and regulation of telegraphic, telephonic, radio and cable facilities will be developed.

Broadcasting was not considered in the report.

While the report made no specific recommendations as to the manner in which the unification of the nation's communications systems was to be accomplished, it is understood to point out the desirability of such consolidation.

The report suggests that there be created an independent government agency modeled after the Interstate Commerce Commission to exercise regulatory and rate-making jurisdiction over all communications.

The committee was headed by Secretary of Commerce Roper and has been actively engaged in a study of the communications problem since March 4 last.

President Roosevelt has had a number of conferences on the subject, it was reported, and intends to confer with Senator Dill, chairman of the Senate Committee on Interstate Commerce, and Representative Rayburn, chairman of the House Committee on Interstate and Foreign Commerce, before announcing any governmental policy on the subject. Pending these conferences, the report of the Roper Committee is being held confidential.

There are four phases of the commercial communications problem of which three relate to the domestic situation and the fourth relates to foreign communications. In the first field are included voice and symbol communication by radio; symbol communication by wire; and both voice and symbol communication by radio. The question which the administration must decide is whether it should encourage monopolies in the field where there have been monopolies and then after creating monopolies, whether they should be put under strict government regulation.

The Roper Committee report, it is understood, points out that there are three ways out of the situation: First, to let things drift as they are now; second, to allow monopolies under strict government regulation; third, government ownership. It was indicated that the tendency is toward the second.

The report contains a vast amount of data relating to facilities and operations of the existing communications companies and an analysis of the problems confronting these companies. It contains reports on foreign companies and the services rendered by them, as well as a comparison with the service here and abroad. It was found that this country's communication services are superior to those of other nations and suggests that private ownership holds more advantages to the public than government ownership.

"In accordance with the request of the President, made last spring," said Secretary Roper discussing the matter this week, "the Interdepartmental Communications Committee has completed a study of communications. The study was presented last Monday by the Secretary of Commerce to the President.

"The report is an interesting study of the necessity for a more definite national policy as to regulations, supervised by a commission or by a federal departmental unit.

"As to whether the objectives shall be put into the form of bills and submitted to the Congress at an early date will depend upon a conference yet to be had with the chairmen of the two appropriate committees of the Senate and the House. These chairmen are members of the Interdepartmental Communications Committee, but are out of town and have not been communicated with about the study. We regard it as proper to confer with them in this matter, including legislative suggestions, before releasing the report of the committee. Certainly, as a courtesy to these important members of the committee, we should not announce the contents of the study in advance of their seeing it and getting their suggestions."

In answer to oral questions at a press conference, Secretary Roper said that the report was practically unanimous, that one member did not agree but he refused to name that one member of the committee. He stated that it has been definitely decided by the Administration that if anything is done at all regarding the communications matter that it will be through legislation and not by executive order as had been contemplated at one time. The Communications Committee, he said, has not tried to draw any new bill to embody its ideas.

After conferences with Senator Dill and Representative Rayburn it will be decided whether or not legislation will be proposed at the next session of Congress which convenes on January 3.

It is the opinion of several informed persons that the Committee will be asked to make a study of the broadcasting field, but no official announcement to this effect has been forthcoming.

Congress has given consideration to the possible unification of communications systems in the past, and several years ago extensive hearings were held upon a bill introduced by Senator Couzens, former chairman of the Senate Interstate Commerce Committee. This bill proposed the creation of a Communications Commission having jurisdiction over all telephone, telegraph, cable and radio communications, including broadcasting, and provided for consolidation of the Radio Act of 1927, the communications provisions of the Interstate Commerce Act, and the Cable Landing Act. The bill was never acted upon by the Senate.

The members of the committee making the report, including Senator Dill and Representative Rayburn, include: Secretary Roper, chairman; Dr. W. M. W. Splawn, adviser to the House Committee on Interstate and Foreign Commerce; Dr. Irvin Stewart, Department of State; Lt. Comdr. E. M. Webster, Coast Guard; Maj. Gen. Irving Carr, War Department; Capt. S. C. Hooper, Navy Department; Maj. Gen. Charles McK. Saltzman, Commerce Department; Dr. J. H. Dellinger, Bureau of Standards; and Herbert L. Pettey, Federal Radio Commission.

RMA TELEVISION COMMITTEE RESOLUTION

Bond Geddes, Executive Vice-President of the Radio Manufacturers' Association, this week transmitted to the Federal Radio Commission a resolution adopted by the RMA Television Committee and of a special RMA Committee of Engineers. The resolution follows:

"RESOLVED, That a continuous band of frequencies from 40 megacycles to at least the neighborhood of 110 megacycles be reserved for television service, and BE IT FURTHER RESOLVED, That the present indications are that television requirements of the future will be such that assignments in television band should be made on the basis of channels at least four megacycles wide, in order to provide continuously entertaining television service."

The report ignores the low-frequency television bands (between 2000 and 3000 kc.)

WIBO EQUIPMENT SOLD

The apparatus and property formerly used by WIBO will be sold at auction at 182 North Michigan Boulevard, Chicago, at 11 a. m., December 22, 1933.

UNLICENSED STATION PROSECUTED

The Federal Radio Commission this week announced that Charles L. Fower, Macon, Mo., was fined $50 on each of three counts by Judge Charles B. Davis of the Eastern Judicial District of Missouri. Fower pleaded guilty to three counts of an indictment charging violation of the Radio Act of 1927, in that he operated without a station license, without an operator's license, and transmitted signals from Missouri to Illinois without a station license.

COMMISSION APPROVES WMCA CONTRACT

The Federal Radio Commission has put its stamp of approval on the contract whereby Station WMCA, New York, has been leased for a period of years to the Federal Broadcasting Corporation, of which Alfred E. Smith is Chairman of the Board.

Before approving the lease the Commission assured itself that:

"The power and control of the licensee over the programs broadcast and all equipment usually incident to the operation of a station must not be limited by contract. Likewise the power, authority or control of the licensee over the employees engaged in the operation and management of a station should not be restricted."

The Commission made public the following correspondence regarding this case:

"November 3, 1933.

Honorable Alfred E. Smith, Chairman,
Federal Broadcasting Corp.,
1697 Broadway, New York City.

Dear Sir:

The Commission has given consideration to the Agency Agreement between the Federal Broadcasting Corporation and Knickerbocker Broadcasting Company, licensee of radio station WMCA, and is not clear as to the construction which should be placed upon some parts thereof. At this time the Commission will not discuss in detail the various provisions of the contract but desires to state its views briefly as to what powers must be retained by the licensee, as follows:

The power and control of the licensee over the programs broadcast and all equipment usually incident to the operation of a station must not be limited by contract. Likewise the power, authority or control of the licensee over the employees engaged in the operation and management of a station should not be restricted.

If the contract which the Federal Broadcasting Corporation has submitted is not so construed by the parties thereto, then it does not meet with the Commission's approval.

Very truly yours,

E. O. Sykes, *Chairman.*"

"December 6, 1933.

Hon. E. O. Sykes, Chairman,
Federal Radio Commission,
Washington, D. C.

Dear Sir:

The views expressed in your letter of November 3, 1933, are consistent with the construction placed on the agreement under which this company supplies programs to station WMCA. May I have your assurance, therefore, that the arrangement has the approval of your Commission.

The contents of this letter have been appoved by the licensee of the station.

Very truly yours,

(s) ALFRED E. SMITH,
Chairman of the Board."

"Hon. Alfred E. Smith,
Chairman of the Board,
Federal Broadcasting Corp.,
1697 Broadway, New York City.

DEAR SIR:

The Commission is in receipt of your letter of December 6 advising that the Federal Broadcasting Corporation and Knickerbocker Broadcasting Company, licensee of radio station WMCA, construe the agreement between them as consistent with the views expressed in my letter to you under date of November 3, last.

So construed, the Commission has no objection to the agreement.

Very truly yours,

E. O. SYKES, *Chairman.*"

COMMISSION STUDYING HIGH FREQUENCIES

The Federal Radio Commission is giving study to a proposal to open up the bands between 1500 and 1600 kilocycles for experimental broadcasting. It is understood that the proposal suggests that there be allocated in these bands several channels for experimentation with high quality transmission. No action has as yet been taken on the proposal.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Alaska Gold Mountain Mines, Ltd., Los Angeles, Calif. (2-476)

R. D. Arveson, Inc., Chicago, Ill. (2-471)

Blaise-Iberville Garage, Inc., New Orleans, La. (2-474)

Bulkley Building Company, Cleveland, Ohio. (2-479)

Edwin L. Lobdell and others, Chicago, Ill. (2-477)

Consolidated Motors Corporation, Lima, Ohio. (2-473)

R. M. Hollingshead Corporation, Camden, N. J. (2-478)

PBA Investors Corporation, Newark, N. J. (2-470)

Pleasant Valley Wine Company, Rheims, N. Y. (2-475)

Supervised Shares, Inc., Jersey City, N. J. (2-472)

Bulkley Building Company, Cleveland, Ohio. (2-480)

Kentucky Products Company, Hobbs, Ky. (2-481)

Long Island Lighting Company, New York City. (2-482)

United Distillers of Canada, Ltd., Vancouver, B. C. (2-483)

Mathieson Alkali Works, Inc., New York City. (2-484)

Saint Francis Hospital Properties Company, San Francisco, Calif. (2-485)

Saint Francis Hospital Properties Company, San Francisco, Calif. (2-486)

Mission Dry Corporation, New York City. (2-487)

Lancaster-Davis, Inc., Cleveland, Ohio. (2-488)

Protective Committee, Textile Crafts Building, New York City. (2-489)

Protective Committee Park Chambers, Inc., New York City. (2-490)

H. Porter Distilling Company, Inc., Agawam, Mass. (2-491)

Marbuan Gold Mines, Ltd., Toronto, Canada. (2-492)

Muscle Shoals Realty Associates, Caldwell, N. J. (2-493)

F. A. Poth's Sons, Inc., Philadelphia, Pa. (2-494)

Capitol Freehold Land Trust, Chicago, Ill. (2-495)

Mammoth Mines Corporation, Seattle, Wash. (2-496)

Old Lewis Hunter Distillery Company, Lexington, Ky. (2-497)

Willett Oil Company, Atascadero, Calif. (2-498)

Bondholders Protective Committee for Security Realty Co., St. Louis. (2-499)

COMMISSION UPHELD IN WGN CASE

The Court of Appeals of the District of Columbia this week upheld the Federal Radio Commission in the case brought against it by Station WGN, Chicago.

WGN protested against the decision of the Commission granting Stations WBBM and KFAB permission to syuchronize during certain night hours. It was not claimed by WGN that any interference would result from the operation. The station objected on the ground that granting of the permission might result in loss of facilities in the zone and state. In its decision the Court calls attention to the fact that the decision of the Commission is only for experimental purposes; and that "further action of the Commission must be had before the modification becomes final." "Moreover," says the Court, "inasmuch as synchronization is not yet recognized by the Commission as a regular broadcasting service, no addition is made to the quota of either city, state, or zone involved, because of the present order." WGN also brought up several other points against the Commission's decision, all of which were overruled by the Court.

RADIO COMMISSION APPROPRIATIONS

The Bureau of the Budget may recommend to Congress an appropriation of $666,886 for the Federal Radio Commission for the fiscal year beginning July 1, 1934. The Commission is now operating under a budget of $640,000. Most of the increase provides for a 5 per cent increase in salaries which is to be allowed government employees effective July 1 next.

WMBR WILL MOVE TO JACKSONVILLE

The Radio Commission has upheld Report No. 526 of Examiner Ralph L. Walker in which it was recommended that the license of Station WMBR be assigned from F. J. Reynolds to F. J. Reynolds, Inc., and that the station be moved from Tampa to Jacksonville, Fla.

The Commission found that the removal of the station from Tampa to Jacksonville will bring "about a more equitable distribution of radio facilities" and that "no interference may reasonably be expected from the proposed change in the location of Station WMBR."

WATERBURY, CONN., STATION FAVORED

Harold Thomas applied to the Radio Commission for a construction permit for a new broadcasting station to be located at Waterbury, Conn., to operate on a frequency of 1190 kilocycles, daytime, with 100 watts power. Report No. 529 (Ralph L. Walker, e.) this week recommended that the application be granted.

The Examiner states that "it appears that the applicant is financially able and technically qualified to construct and operate the proposed station; that the operating assignment specified can be used without objectionable interference to existing stations; that the community to be served is now dependent upon distant stations for the limited daytime service which it receives; and that the service proposed to be rendered would be of interest and benefit to the community."

OPPOSES NEW OHIO STATION

Willard G. Demuth applied to the Radio Commission for a construction permit to erect a new broadcasting station at Uhrichsville, Ohio, to use 1370 kilocycles, 100 watts power, and daytime hours of operation. In Report No. 530 this week George H. Hill, e., recommends that the application be denied.

The Examiner states in his report that "a sufficient showing of need for the service requested has not been made by the applicant." Also the granting of the application, says the Examiner, would possibly result in interference with existing stations and it would also result in an increase in broadcast facilities of an already over-quota state.

RECOMMENDS DENIAL OF POWER INCREASE

Station WEVD, New York City, applied to the Radio Commission to increase its power from 500 to 1,000 watts. In Report No. 531 this week George H. Hill, e., recommends that the application be denied. The report points out that increasing the power of the station would result in interference with other stations and that a sufficient showing of need for the service requested was not made by the applicant. He also called attention to the fact that the granting of the additional power would increase the facilities of an already over-quota state.

AUTHORIZE NEW PUERTO RICO STATION

The Radio Commission on Friday sustained Examiner George H. Hill in his Report No. 501 by granting Juan Piza a construction permit for the erection of a new broadcasting station at San Juan, Puerto Rico, to operate on 1290 kilocycles, unlimited time, 500 watts power.

The Commission found that "no interference may reasonably be expected from the operation of the proposed new station." He also points out the fact that Puerto Rico is under quota in broadcasting facilities and that the public interest "would be served by the granting of the application of Juan Piza for a construction permit."

NAB DEBATE HANDBOOK AVAILABLE

The NAB book entitled "Broadcasting in the United States" was mailed to each member of the NAB this week. If you have any requests for debate material send them to NAB headquarters and we will send copies.

WILL YOU PLEASE ATTEND TO THIS?

If you have not paid your dues for the last quarter of this year, will you please attend to this at once? The new dues system goes into effect on January 1, 1934, and the NAB is making effort to get in all outstanding dues before the books are closed for the year. Then, again, we need the money. Won't you please send in any dues owing to the NAB and help brighten the holiday season for us?

NAB CONSTITUTION AND BY-LAWS

Copies of the revised Constitution and By-Laws of the NAB will be sent to all NAB members within the next week. These copies will be punched for insertion in the NAB Handbook.

NAB TAX COMMITTEE WILL MEET

The NAB Tax Committee, headed by E. M. Elkin, Pittsburgh, Pa., will hold a meeting at NAB headquarters on Monday, December 18, to assemble information relating to depreciation rate allowances for income tax purposes on broadcasting station equipment. The meeting is held to consider the request for information submitted by the Internal Revenue Bureau. A request for information has been sent to all NAB members and any member having suggestions to offer has been invited to attend the meeting.

COMPTON NRA TRADE ASSOCIATION CHIEF

General Hugh S. Johnson today appointed Dr. Wilson Compton Chief of the Trade Association Division, NRA. Under the plan for Code Administration, NRA is seeking to coordinate the facilities of the various industries with those established by the Administration. Practical and fair standards by which the competence of industry associations or their code authorities to act as agencies of self-government are being determined in keeping with the policy of strengthening the permanent association establishment of American industry. Dr. Wilson Compton has agreed to undertake this work until the means of industrial self-regulation has been firmly established.

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Wednesday, December 20, 1933

Oral Argument Before Commission en banc

NEW—Leo J. Omelian, Erie, Pa.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

APPLICATIONS GRANTED

First Zone

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to remain silent December 25, in order to give employees a holiday.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted authority to remain silent from 3 p. m., December 22, to 8:30 a. m., January 2.

WARD—U. S. Broadcasting Corp., Brooklyn, N. Y.—Granted authority to January 1, 1934, to operate with reduced power pending the obtaining of new plate voltmeter.

WHEB—Granite State Broadcasting Corp., Portsmouth, N. H.—Granted authority to operate from 1 to 1:30 a. m. EST, December 17, 1933, in order to broadcast DX program.

Second Zone

WSAJ—Grove City College, Grove City, Pa.—Granted modification of license to reduce specified hours of operation from: Sunday, 4:30 to 5:30 p. m.; one day each week, 5 to 6 p. m.; two days each week, 7 to 10:30 p. m.; to Sundays, 4:30 to 5:30 p. m.; two days each week, 7 to 10:30 p. m. EST.

WHBC—Edward P. Graham, Canton, Ohio—Granted authority to operate simultaneously with Station WNBO December 15, 16, 17, 18, 20, 21, 22, 23, and 25, from 9 to 11 p. m., and on December 19 from 9 p. m. to 12 midnight in order to broadcast special Christmas Fund programs to raise funds for the poor of Canton.

WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—Granted C. P. to move transmitter from Sylvan Lake Village, Mich., to location about 16 miles south of Detroit.

Third Zone

KRGV—KRGV, Inc., Harlingen, Texas—Granted authority to operate unlimited time pending action on application requesting similar authority on a permanent basis. (Normally licensed to share time with KWWG, **1260 kc.**, 500 watts; KWWG has authority to remain silent to April 1, 1934.

KLCN—Chas. Leo Lintzenich, Blytheville, Ark.—Granted modification of C. P. to extend completion date to January 1, 1934.

Fourth Zone

KGBZ—Dr. Geo. R. Miller, York, Nebr.—Granted consent to voluntary assignment of license to KGBZ Broadcasting Co.

WKBB—Sanders Bros. Radio Station, Route 1, E. Dubuque, Ill.—Granted modification of license to change specified hours of operation to: Daily, except Sunday, 7 to 10:15 a. m.; 11:45 a. m. to 1:30 p. m.; 5:30 to 9 p. m.; Sunday, 9 a. m. to 2 p. m.

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted modification of license to use old transmitter as auxiliary transmitter.

Fifth Zone

KIDW—The LaMar Broadcasting Co., Lamar, Colo.—Granted authority to remain silent until January 1, 1934, pending repair of generator and installation of new power supply.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted authority to remain silent December 25.

KPJM—M. B. Scott and Edw. C. Sturm, d/b as Scott & Sturm, Prescott, Ariz.—Granted authority to operate on such reduced power as necessary to obtain maximum percentage of modulation of at least 75 per cent, pending installation of equipment, up to January 1, 1934.

KGCX—E. E. Krebsbach, Wolf Point, Mont.—Granted authority to install automatic frequency control equipment.

SET FOR HEARING

NEW—Virgil V. Evans, Rock Hill, S. C.—C. P. **1370 kc.**, 100 watts, daytime. (Facilities of WBHS.)

NEW—Metro Broadcasting Co., A. Torney and R. Lillie, East Los Angeles, Calif.—C. P. for new station; **820 kc.**, 250 watts, limited time, sharing with WHAS. (Facilities KGEF now assigned KFAC.)

KGDY—Voice of South Dakota, Huron, S. Dak.—License covering new equipment change in frequency power and hours of operation. (**1340 kc.**, 250 watts, daytime.)

WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Consent to voluntary assignment of license to Virgil V. Evans.

WRAW—Reading Broadcasting Co., Reading, Pa.—Modification of license to change hours of operation from sharing with WGAL to unlimited. (Requests time of WGAL, if and when WGAL vacates **1310 kc.**).

WTRC—Truth Publishing Co., Inc., Elkhart, Ind.—Modification of license to change hours of operation from simultaneous day with WLBC and sharing night with WLBC to simultaneous operation with WLBC day and night.

WBAA—Purdue University, West Lafayette, Ind.—Modification of license to increase hours of operation from specified to the following: Monday, Tuesday, Wednesday, Thursday, and Friday, 12 noon to 12:30 p. m., and Monday, Wednesday, and Friday, 7 to 8 p. m.; day power to be 1 KW, night power to remain same, 500 watts (facilities WKBF).

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Special experimental authority to operate from 5 to 7 p. m., CST, during November and December. Normally licensed **680 kc.**, 2½ KW, daytime only.

WBBX—Samuel D. Reeks, New Orleans, La.—Consent to voluntary assignment of license to the Coliseum Place Baptist Church.

KRLD—KRLD Radio Corp., Dallas, Tex.—Special experimental authority to change hours of operation from sharing with KTHS to unlimited simultaneously with WTIC, until end of regular license period (February 1, 1934), to be heard by Commission en banc February 14, 1934.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Special experimental authority to change fequency from **1060** to **1040 kc.**; change hours of operation from sharing with WBAL to simultaneous with KRLD (unlimited) until end of regular license period (February 1, 1934), to be heard by Commission en banc February 14, 1934.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Special experimental authority to change frequency from **1040** to **1060 kc.**; change hours of operation from sharing with KRLD to simultaneous operation with WBAL from 6 a. m. to local sunset and independently from 8 p. m. to midnight CST, until end of regular license period (February 1, 1934), to be heard by Commission en banc February 14, 1934.

WBAL—Consolidated Gas & Electric Light & Power Co., Baltimore, Md.—Special experimental authority to change hours of operation from sharing with WTIC to simultaneous with KTHS, from 6 a. m. to sunset at Hot Springs and independently from then to 9 p. m. EST, and from 9 p. m., EST, synchronize with WJZ on **760 kc.** with 2½ KW, until end of regular license period (February 1, 1934), to be heard by Commission en banc February 14, 1934.

APPLICATION DENIED

WGE—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Denied authority to operate unlimited time on frequency **1360 kc.**, pending disposition of unused 4/7 time on that channel.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license **1360 kc.**, 500 watts, specified hours.

WBBX—Colisum Place Baptist Church, New Orleans—Involuntary assignment of license.

WBBX—Samuel D. Reeks, New Orleans—C. P. to move transmitter locally.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of C. P. for transmitter site.

MISCELLANEOUS

NEW—The State Journal Co., Lansing, Mich.—Hearing reopened on application for C. P. for new station, to give applicant opportunity to introduce documentary evidence that under its charter as now amended, it has authority "to own, operate and control, under federal license, a radio broadcasting station in the city of Lansing, or adjacent thereto."

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Granted regular renewal license because applications of KSO and WOC for facilities of this station have been dismissed.

WRBX—Richmond Development Corp., Roanoke, Va.—Granted regular renewal license, expiring May 1, 1934, since application of WTAR for this station's facilities has been dismissed.

WRUF—University of Florida, Gainesville, Fla.—Granted regular renewal license expiring February 1, 1934, since several applications for this station's facilities have been withdrawn.

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Hearing on application for modification of license to change frequency from **1410** to **1380 kc.**, and from sharing time to unlimited reopened, because of new court developments.

APPLICATIONS RECEIVED

First Zone

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase power from 250 watts night, 500 watts daytime to 500 watts day and night. To be considered under Rule 6-g.

WHAM—Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y.—License to cover construction permit granted November 17, 1933, to make changes in equipment and increase power to 50 kilowatts.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Modification of construction permit granted to increase power to 50 kilowatts requesting approval of proposed transmitter site at Pauline St. and Park Ave., Carteret, N. J.

WHN, WRNY, WQOA, WPAP—Marcus Loew Booking Agency, New York, N. Y.—Special experimental authorization to operate between 1 a. m. and local sunset with power of 1 kilowatt, at the new transmitter location of Station WHN, using transmitter of Station WHN with certain changes.

Second Zone

WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of license to increase power of auxiliary transmitter from 100 watts to 300 watts *amended* to request 400 watts instead.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Extension of special experimental authorization to operate with an additional 500 watts power from February 1, 1934, to August 1, 1934.

WKBZ—Karl L. Ashbacker, Ludington, Mich.—Construction permit to move transmitter and studio from First National Bank and Trust Co., 102 E. Ludington Ave., Ludington, Mich., *to* Hackley National Bank Bldg., Western Ave. and Jefferson St., Muskegon, Mich.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special experimental authorization for three months to increase power from 500 watts to 1 kilowatt experimentally.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Modification of license to change hours of operation from Central Standard Time to Eastern Standard Time and make other changes in the specified hours.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Construction permit to make changes in equipment.

Third Zone

WRAM—Wilmington Radio Assn., Inc., Wilmington, N. C.—Construction permit to move transmitter and studio from Wilmington, N. C., to Washington Duke Hotel, Main St., Durham, N. C.; make changes in equipment and change frequency from **1370** to **1500 kc.**

WSOC—WSOC, Inc., Charlotte, N. C.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WREC—WREC, Inc., Memphis, Tenn.—Modification of license to move main studio from Memphis, Tenn., to State Line, Mississippi (just south of state line, Tennessee, at Federal Highway No. 151), and to increase power from 500 watts night, 1 kilowatt daytime to 1 kilowatt night, 2½ kilowatts daytime.

WIS—Station WIS, Inc., Columbia, S. C.—Construction permit to change frequency from **1010 kc.** to **1050 kc.**, power from 500 watts, 1 KW LS to 5 KW, to be considered under Rule 6-f *amended* to request 2½ kilowatts night directional, 5 kilowatts daytime using conventional antenna.

WBBX—Samuel D. Reeks, New Orleans, La.—Consent to voluntary assignment of license to the Coliseum Place Baptist Church.

NEW—Ark-La-Tex Radio Corp., Tuscaloosa, Ala.—Construction permit to erect a new station to operate on **1290 kc.**, 250 watts, unlimited time, facilities WAML, Laurel, Miss., *amended* to change transmitter location to 2 miles southwest of city limits, Highway No. 11, Tuscaloosa, Ala.

WSPA—Virgil V. Evans, trading as The Voice of South Carolina, Spartanburg, S. C.—Construction permit to move transmitter to 4 miles northeast of Spartanburg, S. C., install new equipment, change frequency from **1420** to **920 kc.**, increase power from 100 watts night, 250 watts day, to 2½ kilowatts and change hours of operation from unlimited to daytime *amended* to request exact location of transmitter be determined by surveys subject to approval of Commission.

Fourth Zone

KICK—Red Oak Radio Corp., Carter Lake, Iowa—Consent to voluntary assignment of license to The Palmer School of Chiropractic.

KICK—The Palmer School of Chiropractic, Carter Lake, Iowa—Construction permit to move Station KICK from Carter Lake, Iowa, to 1002 Brady St., Davenport, Iowa; install new equipment and change frequency from **1420** to **1370 kc.**

WHAD—Marquette University, Milwaukee, Wis.—Modification of license to change studio location locally, change frequency from **1120 kc.** to **580 kc.**, increase power from 250 watts to 500 watts and hours of operation from specified to from 6 a. m. to 1 a. m.

WDGY—Dr. George W. Young, Minneapolis, Minn.—License to cover construction permit as modified to move transmitter within the same building.

KXA—American Radio Telephone Co., Seattle, Wash.—Extension of special experimental authorization to operate from local sunset to 10 p. m. PST, using 250 watts power for period February 1, 1934, to August 1, 1934.

Fifth Zone

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit to move transmitter and studio from 262 Third Ave., West, to 143 Second St., West, Twin Falls, Idaho, make changes in equipment.

KWFV—Hilo Broadcasting Co., Ltd., Hilo, T. H.—Modification of construction permit to move transmitter from Hilo, T. H. to Lot 6, Keaukaha, South Hilo, Waiakea, T. H., and install new equiment *amended* to make changes in equipment.

KROW—Educational Broadcasting Corp., Oakland, Calif.—License to cover construction permit granted September 24, 1933, for installation of new equipment and move of transmitter from Richmond, Calif., to 1528 8th Ave., Oakland, Calif.

APPLICATIONS RETURNED

NEW—L. C. Memmott and E. H. Carter, d/b "The Voice of the Black Hills," Rapid City S. Dak.—Construction permit to erect a new station to operate on **1200 kc.**, 100 watts, S-WCAT, facilities WCAT, Rapid City, S. Dak. (Improperly executed, Rule 6, equipment and transmitter location.)

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Construction permit to make changes in equipment (filed on wrong form and jurat incomplete).

WHAD—Marquette University, Milwaukee, Wis.—Modification of license to change frequency from **1120** to **580 kc.**, increase power from 250 watts to 500 watts and hours of operation from specified to 6 a. m. to 1 a. m. (improperly executed).

EXPERIMENTAL LICENSE APPLICATIONS

NEW—The Journal Company, Milwaukee, Wis.—License for special experimental station **42,000-56,000; 60,000-86,000 kc.**, 500 watts A3 and special.

NEW—The Journal Company, Milwaukee, Wis.—License for special experimental station **620 kc.**, 2½ KW day; 1 KW night.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

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Vol. 1 - - No. 51

DEC. 23, 1933

SEASON'S GREETINGS!

* * *

TO ALL OF YOU
WHOM IT WAS OUR PRIVILEGE TO SERVE
DURING 1933
THE STAFF AT NAB HEADQUARTERS
WISHES A
HAPPY HOLIDAY SEASON

1500-1600 KC. OPENED FOR BROADCASTING

The Federal Radio Commission this week allocated three frequencies in the band 1500-1600 kilocycles for assignment to experimental broadcast stations, such frequencies to be separated by 20 kilocycles, viz., 1530, 1550 and 1570 kilocycles; and to issue licenses if the applicant makes a showing in his application that he can meet the following conditions:

(1) That the operation will be under the direct supervision of a qualified research engineer with an adequate staff of qualified engineers to carry on a program of research;
(2) That the program of research includes study of antenna design, field intensity surveys, and plans for an analysis of response of listeners;
(3) That the transmitter and all studios will be equipped so as to be capable of at least 10 kilocycles audio frequency transmission.

The program of research shall be acceptable to the Commission and experiments desired by the Commission shall be incorporated upon request. Changes in the program of research shall be subject to approval.

The licensee shall be authorized to use variable power not to exceed 1 kilowatt and to carry sponsored programs; however, the sponsorship should not interfere with the program of research, and the conduct of experiments should not depend only upon sponsors as a means of defraying the cost of the experiments.

In order to put this policy into effect the following changes and/or additions in the Rules and Regulations should be made:

(1) Add the following to Rule 27:
"f. The licenses for experimental broadcast stations will be issued for a normal license period of six months from the date of expiration of the old license, or the date of granting a new license."

(2) Add new rule as follows:
"306a. The term 'Experimental Broadcast Station' means a station carrying on the experimental transmission of broadcast programs on frequencies specifically designated for use by such stations."

(3) Change the title of Rule 313 C to read as follows:
"C. Experimental Visual Broadcast Stations and Experimental Broadcast Stations."

(4) Add the following as Rule 319:
"319. The following frequencies are allocated for use by experimental broadcast stations: 1530, 1550, 1570 kc."

(5) Add the following new rules after Rule 324:
"Rule 324a. Each applicant for experimental broadcast station construction permit will be required to show that he has a program of development which promises to lead to improvement in the broadcast art and has the finances and facilities to carry out the proposed program. In addition he shall be required to show—

(1) That the operation will be under the direct supervision of a qualified engineer with an adequate staff of qualified engineers to carry on the program of research;
(2) That the program of research includes study of antenna design field intensity surveys and plans for an analysis of response of listeners;
(3) That the transmitter and all studios will be equipped so as to be capable of at least 10 kilocycles audio frequency transmission;
(4) That if sponsored programs are transmitted such sponsorship will not interfere with the program of reasearch, and that the conduct of experiments will not depend only upon the sponsors as a means of defraying the cost of the experiments."

Add the following as Rule 324b:
"Rule 324b. The Commission will not authorize an operating power to exceed 1 kilowatt for stations in the experimental broadcast service. In the determination of power the rules governing broadcast stations shall apply."

PROPOSE PRESS-RADIO AGREEMENT

A ten-point proposal which *Editor and Publisher,* publication of the newspaper industry, hails as "a plan to solve the troublesome, wasteful and ramifying antagonism between the newspaper press and radio broadcasting" was developed at a conference held in New York last week between newspaper and radio representatives.

The plan, as announced by the press, is as follows:

"1. That a committee consisting of one representative of the American Newspaper Publishers Association, one representative each from the United Press, the Associated Press, and the International News Service; one representative from the National Association of Broadcasters, and one representative each from the National Broadcasting Company and the Columbia Broadcasting System, totaling seven members, with one vote each, should constitute a committee to set up with proper editorial control and supervision an organization designed to furnish to the radio broadcasters limited daily news bulletins for broadcasting purposes. The chairman of the above committee will be the representative of the American Newspaper Publishers Association and a member of the Publishers National Radio Committee. All actions of this committee will be subject to the Publishers National Radio Committee.

"2. The newspaper and press association members of this committee are authorized and empowered to select such editor, or editors, as may be necessary to carry out the purposes of this agreement, to wit: To receive from each of the principal three press associations copies of their respective day and night press reports, from which shall be selected bulletins of not more than 30 words each sufficient to fill two broadcast periods daily of not more than five minutes each.

"3. It is proposed that a broadcast to be based upon bulletins taken from the morning newspaper report will be put on the air by broadcasters not earlier than 9:30 a. m., local station time, and the broadcast based upon the afternoon newspaper report will not be put on the air by broadcasters prior to 9 p. m., local station time.

"4. It is agreed that these news broadcasts will not be sold for commercial purposes.

"5. The Columbia Broadcasting System agrees to withdraw from the news agency field and dissolve its present Columbia News Service Corporation. The National Broadcasting Company agrees not to enter the news collection field.

"6. All expense incident to the functioning of this committee will be borne by the broadcasters. Independent stations may have access to these broadcast reports upon their request and agreement to pay their proportionate share of the expense involved, as well as to observe the letter and spirit of this plan.

"7. Occasional news bulletins of transcendental importance, as a matter of public service, will be furnished to broadcasters, as they may occur at times other than the stated periods above. These bulletins will be written and broadcast in such a manner as to stimulate public interest in the reading of newspapers.

"8. The broadcasters agreed to regulate the broadcast by their commentators in such a manner that these periods will be devoted to a generalization and background of general news situations and eliminate the present practice of the recital of spot news.

"9. The newspapers and the broadcasters will cooperate to limit the broadcasting of news by newspaper-owned stations and independently owned stations on a basis comparable to the schedule set up above for radio chains.

"10. The Publishers' National Radio committee will recommend to all newspaper publishers the above plan for their approval and acquiescence, and will urge upon the members of the Associated Press and the managements of the International News Service and the United Press the adoption of this plan."

The conference was attended and the plan formulated by the representatives of newspapers, the three principal press associations (United Press, Associated Press and International News Service) and the executive officers of the National Broadcasting Company and the Columbia Broadcasting System.

Alfred J. McCosker, president of the National Association of Broadcasters, was invited to the conference and attended the first session of the two-day conference.

The NAB has taken no official action on the proposal.

The conferes included the following: William S. Paley, president of the Columbia Broadcasting System; Edward K. Klauber, first vice-president, Columbia Broadcasting System; M. H. Aylesworth, president of the National Broadcasting Company; Frank E. Mason, vice-president of the National Broadcasting Company; Roy W. Howard, chairman of the Board of the Scripps-Howard Newspapers; Harry M. Bitner, assistant general manager of the Hearst Newspapers; J. D. Gortatowsky, of the International News Service; Karl A. Bickel, president of the United Press; Lloyd Stratton, executive assistant of the Associated Press, representing Kent Cooper, general manager; E. H. Harris, chairman of the Publishers' National Radio Committee, and the following members of the committee: John Cowles, *Des Moines Register and Tribune;* Edwin S. Friendly, *New York Sun;* James G. Stahlman, *Nashville Banner,* and L. B. Palmer, general manager of the American Newspaper Publishers' Association.

WOULD BAN DENTAL ADVERTISING

A bill (H 141 X) introduced by Representative Cochrane in the first special session of the Washington legislature would make it a misdemeanor for dentists or physicians to advertise for business through the use of radio, newspapers, loudspeakers or billboards. The bill has been referred to the Committee on Medicine and Dentistry for report.

COMMISSION TAKES HOLIDAY RECESS

The Radio Commission will hold no meetings or hearings during the week of December 25, owing to the holidays. The next Commission meeting will be held January 2.

COMMISSION WINS COURT CASE

Justice Letts of the Supreme Court of the District of Columbia this week granted the motion of the Radio Commission to dismiss the petition of Carl Siegfried and Max A. Kramer in their petition of injunction to restrain the Commission from acting on an application for the voluntary assignment of license from Station KGIZ to KGBX. The motion was granted immediately following argument on the case in court.

RECOMMENDS AGAINST CALIFORNIA STATION

Thomas R. McTammany and William H. Bates, Jr., applied to the Radio Commission for a construction permit for a new station to be erected at Modesto, Calif., using 740 kilocycles, 250 watts daytime. In Report No. 532 this week Ralph L. Walker (e) recommends that the application be denied.

The Examiner found that while the proposed new station would not cause any additional interference that "it is not affirmatively shown that there is sufficient program material available to provide a good service, and the granting of the application would further increase the over quota status of the Fifth Zone and the State of California."

KOAC GETS LICENSE RENEWAL

The Radio Commission on Friday upheld Examiner George H. Hill in his Report No. 517 by granting a license renewal to Station KOAC, Corvallis, Ore., and refusing a construction permit for a new station at La Grande, Ore., to the Eastern Oregon Broadcasting Company.

In its decision the Commission found that the Eastern Oregon Company had not shown sufficient financial resources or ability to secure the establishment of the proposed station and that the applicant "failed to establish the merits of its own case" and "has obviously failed to make a showing that would warrant the withdrawal of facilities now allocated for the use of Station KOAC."

KGIZ VOLUNTARY ASSIGNMENT APPROVED

Station KGIZ, Grant City, Me., was granted permission to voluntarily assign its license to KGBX, Inc., through a decision of the Radio Commission handed down on Friday and upholding Report No. 519 of Examiner George H. Hill. This action affirms that taken by the Commission on June 30 last.

It was found by the Commission in its decision that "the protestant parties have not shown any facts which would warrant the revocation of the Commission's original grant in this case."

TO CHANGE POLICE FREQUENCIES

Effective May 1, at which time the police broadcasting licenses expire, the Radio Commission will change their frequencies to some place between 1655 and 1715 kilocycles in view of the fact that the Commission has opened up experimentally the 1500-1600 kilocycle band in which the police stations are now located. Pending this change of frequency it is not believed that much interference will develop.

MORE TIME FOR KWKC DENIED

The Radio Commission this week sustained Examiner George H. Hill, in his report No. 521 in which he recommended that the application of broadcasting Station KWKC, Kansas City, Mo., asking for additional time from specified hours to unlimited be denied. The station uses a frequency of 1370 kilocycles with 100 watts power.

The Commission found that "the granting of this application would tend toward an unequal distribution of radio broadcast facilities among the zones and toward an inequitable distribution of facilities among states."

WHBD GRANTED LICENSE RENEWAL

Examiner George H. Hill's report No. 522 was sustained by the Radio Commission this week when it granted a license renewal to Station WHBD and denied the application of William L. Slade, for a construction permit for a new station to be erected at Hamilton, Ohio, using the facilities of WHBD.

It was found by the Commission that Slade did not show adequate financial ability to construct and operate the proposed new station and that the population around Hamilton has good radio service available. The Commission found also that the showing of Slade was not such as to warrant it in withdrawing the facilities of WHBD.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Reorganization Committee for Crown Drug Stores, St. Louis, Mo. (2-500)
Gilpin Eureka Consolidated Mines, Ltd., Kansas City, Mo. (2-501)
Bondholders' Committee for Ten Year Six Per Cent Collateral Trust Sinking Fund Gold Bonds of Woods Brothers Corporation, Chicago, Ill. (2-502)
Industrial Finance and Mortgage Corporation, Baltimore, Md. (2-503)
Automatic Fire Escape Stairway Corporation, Portland, Ore. (2-504)
Westminster Distilling Company of Maryland, Inc., Baltimore, Md. (2-505)
F. & W. Properties Corporation Reorganization Committee, New York City (2-506)
Group Securities, Inc., Jersey City, N. J. (2-507)
Tri-State Poster Advertising Company, Inc., Middletown, N. Y. (2-508)
Bro-San, Inc., New York City (2-509)
Jessie Gold Mines, Ltd., Seattle, Wash. (2-510)
Pacific Coast Pulp & Paper Corporation, Richvale, Calif. (2-511)
Holman D. Pettibone and others, Chicago, Ill. (2-512)
Warner Company, Philadelphia, Pa. (2-513)
Croft Brewing Company, Boston, Mass. (2-514)
Eaton & Howard Accumulative Fund, Boston, Mass. (2-515)
Conservative Personal Loan Company, Inc., New York City (2-516)
Bondholders' Refunding Assn. of Daytona Beach, Fla. (2-517)
Nineteen Thirty-Two Trust Fund, Boston, Mass. (2-518)
Divide Gold Mining Corporation, Laramie, Wyo. (2-519)
McCulloch's Green River Whiskeys, Inc., Owensboro, Ky. (2-520)
Southwest Royalty Leasing Syndicate, Fort Worth, Tex. (2-521)
Granada Realty Company Bondholders' Protective Committee, San Francisco, Calif. (2-522)
Bondholders' Protective Committee, Salt Lake Terminal Company First Mortgage Bonds, Denver, Colo. (2-523)
Vermilion River Mines, Inc., Minneapolis, Minn. (2-524)
Supervised Investments, Wilmington, Del. (2-525)
Kludas Electric-Mechanical Devices, Inc., Palisades Park, N. J. (2-526)
Laid & Company, Scobeyville, N. Y. (2-527)
Montana Consolidated Mines Corporation, Helena, Mont. (2-528)
Conversion Office for German Foreign Debts, Berlin, Germany (2-529)

FEDERAL RADIO COMMISSION ACTION
APPLICATIONS GRANTED

First Zone

WJBI—Monmouth Broadcasting Co., Red Bank., N. J.—Granted authority to remain silent on December 25.

WBNX—The Standard Cahill Co., Inc., New York, N. Y.—Granted C. P. to move studio locally, and make changes in equipment.

WNYC—City of New York, Department of Plant and Structures, New York—Granted temporary authority to operate from 1 to 5:30 p. m., EST, on Monday, December 25, instead of designated time of 8½ hours, 9 a. m. to 5:30 p. m.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Granted authority to remain silent December 25.

WHN—Marcus Loew Booking Agency, New York, N. Y.—Granted license covering move of transmitter and installation of new equipment; **1010 kc.**, 250 watts; shares WRNY and WQAC-WPAP.

Second Zone

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted renewal of license on a temporary basis, subject to such action as the Commission may take on pending appeals for frequency authorized to be used by this station, and subject to cancellation without advance notice or hearing at any time when the Commission may grant the applicant herein a license to operate in conformity with permit granted October 27, 1933, authorizing operation on frequency of **920 kc.**

WHBD—F. P. Moler, Mt. Orab, Ohio—Granted temporary license subject to such action as the Commission may take on applicant's pending application for renewal.

WHP—WHP, Inc., Harrisburg, Pa.—Granted special temporary authority to operate from 10:30 to 11:30 a. m.; 1:30 to 2:30 p. m., and 4 to 4:30 p. m. EST, on December 25 and January 1.

WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Granted special temporary authority to operate a maximum of 4 hours daytime only, simultaneously with WILM, for period beginning 3 a. m., EST, January 1, and ending 3 a. m., EST, July 1, 1933.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 11:30 p. m., CST, December 24, to 2:30 a. m., CST, December 25, and from 10 to 11:30 a. m., and 1:30 to 5:30 p. m., CST, December 25. Also granted special temporary authority to operate from 10 to 11:30 a. m., and 1:30 to 5:30 p. m., CST, January 1, 1934.

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Granted authority to remain silent on December 25, 1933.

KDKA—Westinghouse Electric & Manufacturing Co., Pittsburgh, Pa.—Granted C. P. to make changes in equipment.

Third Zone

WKBC—R. B. Broyles Furniture Co., Birmingham, Ala.—Granted C. P. to make changes in equipment and increase day power from 100 watts to 250 watts.

NEW—William F. Chaplin, Hot Springs, Ark.—Reconsidered and granted application, heretofore set for hearing, for new station to operate on **1500 kc.**, 100 watts, daytime hours.

WODX—W. G. Austin & W. O. Pape, Receivers, Mobile, Ala.—Granted temporary license from January 1, 1934, and set for hearing the application to involuntary assignment of license from Mobile Broadcasting Corporation to W. G. Austin & W. O. Pape, Receivers.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted authority to operate on **970 kc.**, from 11:30 a. m., CST, until the end of the Rose Bowl Game, approximately 6:30 p. m., CST, January 1, 1934, in order to broadcast football games.

KFJZ—Fort Worth Broadcasters, Inc., Fort Worth, Tex.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on pending applications for the facilities of this station, as well as upon the renewal of application of KFJZ.

Fourth Zone

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted special temporary authority to operate from 11 a. m. to 1 p. m., CST, December 25.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate from 12:30 to 2 p. m., CST, on December 25 and January 1, provided KFDY remains silent.

WILL—University of Illinois, Urbana, Ill.—Granted authority to operate simultaneously with Station KFNF during the following periods in order to broadcast American Historical

Association Annual Convention and the University of Illinois Annual Farm and Home Week program: December 27—12 noon to 12:30 p. m.; 2:30 to 4 p. m.; December 28—12 noon to 12:30 p. m.; 2:30 to 4 p. m.; December 29—12 noon to 12:30 p. m.; 2:30 to 4 p. m.; January 15—3 to 4 p. m., and January 16, 17 and 18—3 to 4 p. m.

WLBC—Donald A. Burton, Muncie, Ind.—Granted authority to operate simultaneously with Station WTRC from 6:30 to 7:30 p. m., CST, on January 1, 5, 11, 20 and 26, 1934.

KWLC—Luther College, Decorah, Iowa—Granted modification of special temporary authority to remain silent from December 20, 1933, to January 2, 1934, inclusive, except from 2 to 4 p. m., CST, December 24, 1933, in order to broadcast church concert.

WFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authority to operate from 9 p. m. to 12 midnight, CST, January 5, 6, 11, 12, 16, 18, 19, 20, 23, 26, 28 and 31, 1934; and from 9 a. m. to 12 noon and 3 to 6 p. m., CST, January 18, 19 and 20, 1934.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Granted license covering changes in equipment, **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

Fifth Zone

KGIX—J. M. Heaton, Las Vegas, Nev.—Granted temporary renewal of license, subject to such action as the Commission may take on licensee's pending application for renewal.

KUJ—KUJ, Inc., Walla Walla, Wash.—Granted extension of special experimental authorization to operate unlimited time experimentally to July 1, 1934.

KPJM—M. B. Scott & Edw. C. Sturm, Prescott, Ariz.—Granted temporary renewal of license subject to such action as the Commission may take on their pending application for renewal.

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted authority to operate night of December 19, in order to broadcast election returns.

KPJM—Scott & Sturm, Prescott, Ariz.—Granted C. P. to move transmitter locally in Prescott, and make changes in equipment.

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted authority to operate simultaneously with KICA from 7:30 to 9 p. m., December 20, in order to broadcast special Christmas program.

MISCELLANEOUS

WODX—Frank M. King, Receiver of the Mobile Broadcasting Corp., Mobile, Ala.—Application for consent to voluntary assignment of license from Mobile Broadcasting Corporation to Frank M. King, Receiver, withdrawn upon request of attorney for applicant.

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—The Journal Co., Milwaukee, Wis.—C. P. **900 kc.**, 1 kilowatt, 2½ kilowatts, unlimited time. (Facilities WHA and WLBL).

WTMJ—The Journal Co., Milwaukee, Wis.—C. P. **670 kc.**, 5 kilowatts, unlimited time. (Facilities WMAQ, WHA and WLBL).

WHA—University of Wisconsin and Department of Agriculture and Markets—C. P. to consolidate WHA and WLBL.

SET FOR HEARING

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Modification of license to increase specified hours of operation to include 12 midnight to 2 a. m. daily.

KWWG—Port Arthur College, Brownsville, Tex.—C. P. to move station from Brownsville to Port Arthur, Tex., exact transmitter location to be determined subject to approval of Commission, and studio to be located at 1500 Proctor St.

WISN—American Radio News Corp., Milwaukee, Wis.—Modification of license to increase day power from 250 to 500 watts; request application be considered under Rule 6 f.

NEW—Julio M. Conesa, Plaza Principal, Ponce, Puerto Rico—C. P. for new station; **1420 kc.**, 100 watts night, 250 watts day, specified hours.

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Modification of license to change frequency from **1310** to **1500 kc.**, and change hours of operation from sharing with WHAT to unlimited. (Facilities vacated by WPEN).

APPLICATIONS RECEIVED

First Zone

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Construction permit to make changes in the auxiliary transmitter and increase operating power of the auxiliary transmitter from 100 watts to 250 watts.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit authorizing move of transmitter and equipment change to extend the date of completion from December 1, 1933, to January 15, 1934.

WOV—International Broadcasting Corp., New York, N. Y.—Installation of automatic frequency control.

Second Zone

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Modification of license to change hours of operation from sharing with WTEL, not to operate when WCAM is operating *to* unlimited time, if WTEL vacates **1310 kc.**, and not to operate when WCAM is operating.

KDKA—Westinghouse Electric and Manufacturing Co., Pittsburgh, Pa.—Construction permit to make changes in equipment of main transmitter.

Third Zone

KUOA—KUOA, Inc., Fayetteville, Ark.—License to cover construction permit for move of transmitter and equipment change.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Construction permit to install new equipment.

Fourth Zone

WCFL—Chicago Federation of Labor, Chicago, Ill.—Extension of special experimental authorization to operate unlimited time for period from February 1, 1934 to August 1, 1934.

WCBS—WCBS. Inc., Springfield, Ill.—License to cover construction permit authorizing local move of transmitter.

WCBS—WCBS, Inc., Springfield Ill.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Modification of license to increase specified hours of operation to include from 12 midnight to 2 a. m.

KFIZ—Reporter Printing Co., Fond du Lac, Wis.—Modification of license to change frequency from **1420 kc.** to **1310 kc.**

Fifth Zone

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho—License to cover construction permit authorizing changes in equipment.

APPLICATIONS RETURNED

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Consent to involuntary assignment of license from Frank M. King as Receiver of Birmingham Broadcasting Co., Inc. (Improperly signed.)

NEW—Samuel Nathanuel Morris, Stamford, Tex.—Construction permit to erect a new station to operate on **1420 kc.**, 100 watts, S. H. (Not affirmed.)

WHET—Joe K. Jernigan, Cyril W. Reddoch, John T. Hubbard and Julian C. Smith, d/b as Troy Broadcasting Co., Dothan, Ala.—License to cover construction permit to move transmitter and studio to Dothan, Ala., and change frequency from **1210 kc.** to **1370 kc.** (Incomplete.)

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Modification of construction permit requesting approval of transmitter site. (Letters not answered.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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ON THE WAY!

As the curtain falls on 1933 the radio broadcasting business is sharing with all other businesses the benefits flowing from general economic recovery.

The past year has subjected the American plan of broadcasting to the severest of tests. That it has survived is additional proof of the soundness of the system of privately operated broadcasting stations.

Broadcasters look forward to 1934 with optimism. Business will increase. Commercial practices will improve. As a consequence, programs will reach a new high standard.

The record of the NAB during the past year speaks for itself. A review would serve no useful purpose. But the advent of 1934 focuses attention upon many important problems which are on their way to solution. While substantial progress has been made, only the closest cooperation among all NAB members will bring quick and effective solution. The Officers and Directors of the NAB are convinced that the same spirit of cooperation which made 1933 a banner year in NAB history will be forthcoming in 1934.

To every member of the NAB the official family of the Association extends its best wishes for a Happy and Prosperous New Year.

DILL WOULD ABOLISH F. R. C.

Senator Dill, of Washington, chairman of the Senate Committee on Interstate Commerce, which has jurisdiction over radio legislation in the upper house, has definitely stated that if no action is taken at this new session of Congress on a Communications Commission, he will introduce a simple bill, and push it for immediate action, which would put radio activities back into the Department of Commerce, with a Director of Radio, and an Appeal Board to consist of three members, which would be an appellate body only. Suggestions of this kind, it may be remembered, were made last spring shortly before the special session adjourned and it was thought for a long time that President Roosevelt would carry out this idea through an executive order.

Senator Dill has stated that he has no radio bills prepared for introduction at the opening of the session but he has this plan definitely in mind if nothing else is done with radio at the new session.

The present Radio Commission, said Senator Dill, has no "initiative" and "it will have to do something or be wiped out."

"It ought to do something to improve radio instead of sitting back like a machine," he said. "With all the growing protests against advertising methods, it does nothing. It seems to have no conception of its duty to remedy the situation. It makes no new allocations that are possible as a result of new developments in directional broadcasting and other advanced methods of broadcasting.

"It should restrict the abuses of the right to advertise," Senator Dill continued. "Censorship is one thing, but the kind of advertising is another. If the advertising is not what the public wants, it is not in the public interest."

CONGRESS CONVENES WEDNESDAY

Congress will convene on Wednesday, January 3. The new session will be the second session of the Seventy-Third Congress, and inasmuch as it is another session of the same Congress, all of the radio bills pending when Congress adjourned in the spring are still pending.

Of surpassing interest to the broadcasters of the country will be the action taken by the President on the report he recently received from the Interdepartmental Communications Committee, of which Daniel C. Roper, Secretary of Commerce, was chairman, and which suggested certain solutions to communication problems.

Everyone is only guessing now as to what will be done about this report or whether the Congress will be called upon to take up general radio reorganization or not. This depends entirely upon the President's attitude on this subject.

Following is a list of the bills now on the Senate and House calendars from the last session of Congress dealing exclusively with radio:

In the Senate

S. Res. 29—Senate Committee on Rules. Introduced by Senator Dill of Washington, and providing for broadcasting from the Senator Chamber.

In the House

H. R. 1735—Committee on Merchant Marine, Radio and Fisheries. Introduced by Representative Bland of Virginia, providing for general amendments to the present radio law.

H. R. 3760—Committee on Interstate and Foreign Commerce. Introduced by Representative Rayburn of Texas, providing for the establishment of the Federal Communications and Power Commission.

H. Con. Res. 1—House Committee on Rules. Introduced by Representative Fulmer of South Carolina, providing for a study of radio broadcasting in the United States and other countries.

H. Res. 19—House Committee on Rules. Introduced by Representative McFadden of Pennsylvania, providing for an investigation of the NBC and Columbia Broadcasting System.

H. Res. 181—House Committee on Rules. Introduced by Representative Ellzey of Mississippi, providing for an investigation of the Federal Radio Commission.

LIQUOR BILL PASSES WASHINGTON HOUSE

The House of the Washington Legislature this week adopted a bill memorializing the Congress of the United States to prohibit liquor advertising by radio.

RECOMMENDS AGAINST MORE POWER TO WMBG

Station WMBG, Richmond, Va., applied to the Radio Commission for an increase in its daytime power from 100 to 250 watts. It also requested the deletion of Station WPHR, Petersburg, Va., to make possible the granting of its application. WPHR asked license renewal. In Report No. 533 this week George H. Hill (e) recommended that the application for increased power of WMBG be denied and that the application for license renewal of Station WPHR be granted.

The Examiner found that while WMBG renders a good and meritorious service, "it is not shown that the benefit derived to this area would warrant the curtailment of the service rendered to the Petersburg area by Station WPHR. He found that the granting of the application without deleting WPHR would cause interference.

HUDDLESTON WOULD REGULATE RATES

Representative Huddleston of Alabama intends to introduce a bill during the early part of the new session of Congress, he has announced, which is intended to regulate radio broadcasting as a public utility.

While copies of the bill are not available, it is indicated that this would mean that rate charges would be put under the direction of the Radio Commission. It has been pointed out that if they were ever operated as public utilities a station would not be able to refuse any advertising that was not libelous.

STARBUCK REAPPOINTMENT

The possibility of reappointment to the Radio Commission of Commissioner Starbuck, of New York, whose term expires in February, is the subject of much speculation. It is regarded here as certain that both Senators from New York, Copeland and Wagner, will have to endorse him before he can be reappointed. It is definitely known that at the last session of Congress, Senator Wagner was opposed to his reappointment, but whether there has been any change in this feeling cannot be learned.

PUBLIC OPPOSES GOVERNMENT RADIO

There is a considerable amount of public dissatisfaction with the New Zealand Government for its action in assuming control of broadcasting stations, it was reported by Vice Consul W. W. Orebaugh, Wellington, in a dispatch to the Commerce Department.

Until January 1, 1932, the report shows, broadcasting in New Zealand was largely in the hands of private interests, functioning under the supervision of the Post and Telegraph Department. On that date the control of broadcasting became vested in the Broadcasting Board, a government body whose functions and powers resemble those of the British Broadcasting Company.

Until very recently the board maintained four class "A" stations, located in the four chief centers of the country—Wellington, Auckland, Christchurch and Dunedin. It was announced recently that the government proposed to purchase three of the smaller Class "B" stations.

One item of the Government Board's program was the elimination of incompetent amateur broadcasting. In doing this it has employed an increasing number of graphophone records and has acquired a library of some 37,000 records.

The "B" or smaller stations under private control have been adversely affected by recent developments, the report shows, and it is probable that under existing conditions they will not be able to continue to operate. Like the government "A" stations they make wide use of gramaphone records, upon each of which a royalty must be paid. Furthermore, restrictions on radio advertising have served to increase their financial difficulties.

RADIO EMPLOYMENT STILL INCREASES

November employment index number for radio manufacturers was 169.3 compared with 162.4 for October and 77.7 for November, 1932, taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. November payroll index number for the same plants was 131.9 compared with 125.2 for October and 58.4 for November of last year.

C. C. I. R. MEETING SCHEDULED

The first meeting preparatory to the drafting of the United States reports on the agenda for the Third Meeting of the C. C. I. R. at Lisbon, September 22, 1934, will be held in Room 302, Federal Radio Commission, Washington, D. C., Wednesday, January 17, 1934, at 9:30 a. m.

The National Association of Broadcasters will be represented during the discussion of a number of problems pertinent to broadcasting.

FEDERAL RADIO COMMISSION REPORTS

HEARING CALENDAR

Wednesday, January 3, 1934

Oral Argument Before Commission en banc

Examiner's Report No. 520

WCAO—Monumental Radio Company, Baltimore, Md.—Modification of license, **600 kc.**, 500 watts, unlimited time. Present assignment, **600 kc.**, 250 watts, unlimited time.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license, **600 kc.**, 500 watts, specified hours. Present assignment, **600 kc.**, 250 watts, 500 watts LS, specified hours.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license, **600 kc.**, 500 watts, specified hours. Present assignment, **600 kc.**, 250 watts, specified hours.

APPLICATIONS RECEIVED

First Zone

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit authorizing installation of new equipment and increase in power from 300 watts to 500 watts, to move transmitter locally from 91 Sip Ave. to 26 Journal Square, Jersey City, N. J.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit to move transmitter, change equipment, change frequency from **1210 kc.** to **1330 kc.**, increase power from 100 watts to 1 kilowatt, amended to request 500 watts.

Second Zone

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Construction permit to move station from Louisville, Ky., to a site, to be determined, in Lexington, Ky., and to change frequency from **1200 kc.** to **1420 kc.**

Third Zone

WHET—Joe K. Jernigan, Cyril W. Reddoch, Julian C. Smith, and John T. Hubbard, d/b as Troy Broadcasting Co., Dothan, Ala.—License to cover construction permit authorizing move of station and change of frequency to **1370 kc.**

NEW—Samuel Nathanuel Morris, Stamford, Tex.—Construction permit to erect a new station to operate on **1420 kc.**, 100 watts, specified hours. (Facilities KFYO, Lubbock, Tex., and KFPL, Dublin, Tex.)

WPFB—Otis P. Eure, Hattiesburg, Miss.—Modification of license to reduce hours of operation from unlimited to specified.

WPTF—WPTF Radio Co., Inc., Raleigh, N. Car.—Special experimental authorization to change hours of operation from limited time, sunset at San Francisco, Calif., to limited time, sunset at San Francisco, Calif., and, in addition, to operate until 8 p. m., PST.

Fourth Zone

WIBA—The Badger Broadcasting Co., Madison, Wis.—Special experimental authorization to operate with additional power of 500 watts at night to 4-1-34.

WJJD—WJJD, Inc., Mooseheart, Ill.—Modification of license to move main studio from Mooseheart, Ill., to 201 North Wells St., Chicago, Ill.

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Modification of license to increase daytime power from 500 watts to 1 KW.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of license to increase power from 500 watts, Sunday 1 KW, daytime, to 1 KW and hours of operation to unlimited. (Facilities WMBI and WCBD, Chicago, Ill.)

Fifth Zone

KRKD—The Fireside Broadcasting Co., Los Angeles, Calif.—Modification of license to use transmitter of Station KFSG as an auxiliary transmitter of Station KRKD.

APPLICATIONS RETURNED

NEW—Richard T. Howard, T Malden, Mass., Studio, Boston, Mass.—Construction permit to erect a new station to operate on **1130 kc.**, 1 KW night, 2½ KW day, unlimited time (facilities WOV, New York). (Rules 6, 116, 117, equipment and transmitter site not satisfactory.)

NEW—Scientific Club, Pres., Roberto Ortiz, Fajardo, P. R.—Construction permit to erect a new station to operate on **850 kc.**, 50 watts night, 75 watts day, unlimited 3 or 4 hours daily. (Incomplete, equipment and transmitter site not satisfactory, application not clear.)

NEW—Leonard V. Elmore, Pilot Point, Tex.—Construction permit to erect a new station to operate on **985 kc.**, 15 watts night, 25 watts day, four hours daily. (Wrong frequency, equipment and transmitter site not satisfactory.)

NEW—The Texas Frontier Broadcasting Co., Marfa, Tex.—Construction permit to erect a new station to operate on **1210 kc.**, 100 watts, unlimited. (Rule 6 and equipment and transmitter location not satisfactory.)

KCRC—Enid Radiophone Co., Enid, Okla.—Modification of license to change frequency from **1370 kc.** to **1230 kc.**, increase power from 100 watts night, 250 watts day, to 250 watts, and hours of operation from S-KGFG to unlimited. (Rule 6.)

WNBW—WNBW, Inc., Carbondale, Pa.—Modification of construction permit to extend completion date of C. P. (Station deleted.)